

## TWENTIETH DAY

(Friday, October 13, 1933)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holland.
Adamson.	Hoskins.
Aikin.	Huddleston.
Alexander.	Hughes.
Alsup.	Hunt.
Baker.	Hunter.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Johnson
Bradley.	of Anderson.
Burns.	Johnson
Calvert.	of Dimmit.
Camp.	Jones of Atascosa.
Canon.	Jones of Runnels.
Cathey.	Jones of Shelby.
Caven.	Kayton.
Celaya.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Clayton.	Laird.
Colson.	Latham.
Coombes.	Lemens.
Cowley.	Leonard.
Crossley.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Mackay.
Devall.	Magee.
Dunlap.	Mathis.
Dunagan.	McClain.
Duvall.	McCullough.
Dwyer.	McDougald.
Engelhard.	McGregor.
Fain.	McKee.
Few.	Merritt.
Fisher.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Munson.
Graves.	Nicholson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Hankamer.	Patterson.
Harman.	Pavlica.
Harris.	Pope.
Harrison.	Puryear.
Hartzog.	Ramsey.
Head.	Ratliff.
Hicks.	Ray.
Hill of Brazoria.	Reader.
Hill of Webb.	Reed of Bowie.
Hodges.	Reed of Dallas.
Holekamp.	Renfro.

Riddle.	Stubbeman.
Roberts.	Sullivant.
Rogers of Hunt.	Tarwater.
Rollins.	Thomas.
Ross.	Tillery.
Russell.	Townsend.
Savage.	Turlington.
Scarborough.	Van Zandt.
Scott.	Vaughan.
Shannon.	Wagstaff.
Shults.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Winningham.
Stinson.	Wood.
Stovall.	Young.

Absent

Butler.	Tennyson.
Hester.	

Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Holloway for today, on motion of Mr. Dunagan.

The following Members were granted leaves of absence on account of illness:

Mr. Anderson for today, on motion of Mr. Tillery.

Mr. Rogers of Ochiltree for today, on motion of Mr. Reed of Bowie.

## CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 46

Mr. Burns submitted the following conference committee report on House Bill No. 46:

Committee Room,  
Austin, Texas, October 11, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on House Bill No. 46, have had the same under consideration, and we recommend that said bill be passed in the form, substance, and text, as submitted herewith:

"H. B. No. 46,

A BILL

To Be Entitled

An Act providing for the creation of Discharged Convicts Revolving Fund, amending Article 6166-M, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, providing for the payment of money into said Fund by the State Treasurer, out of moneys remitted to him by the General Manager of the State Prison System; providing for reports of the conditions of the Discharged Convicts Revolving Fund by the depositories, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6166-M, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, be amended by adding a new section, to be known as 6166-M-1, to read as follows:

"6166-M-1. From and after the effective date of this Act, the State Treasurer of the State of Texas, shall set aside sufficient amount of money received by him from the General Manager of the Texas Prison System as money earned by, and belonging to the State Prison System, to be kept on deposit in Huntsville, Texas, twenty-five thousand dollars (\$25,000), to be known as the Discharged Convicts Revolving Fund, and the State Treasurer shall at all times keep said Discharged Convicts Revolving Fund up to the maximum amount out of funds above provided, and said funds shall be used for the prompt payment in cash to all discharged, pardoned or paroled convicts; such funds to be deposited in equal amount in the Huntsville Bank and Trust Company at Huntsville, and the First National Bank at Huntsville, and said banks shall deposit with the General Manager of the Prison System, bonds and/or other securities, to be approved by the Attorney General of the State of Texas, sufficient to secure said deposits."

Sec. 2. That Article 6166-M, as passed by the Fortieth Legislature, 1927, be amended by a new section, to be known as 6166-M-2, to read as follows:

"6166-M-2. It shall be the duty of the depositories of the Discharged

Convicts Revolving Fund, so long as they retain such deposit, to make a weekly report to the State Treasurer of the State of Texas as to the condition of the fund on deposit in said depository."

Sec. 3. The fact that the Forty-third Legislature appropriated twenty-five thousand dollars (\$25,000) for Revolving Fund, for the payment of discharged convicts, and the further fact that the State is on a deficiency basis, making payment to such convicts impossible, although they are entitled to receive their money in cash, thus leaving them in destitute circumstances, causing such convicts to commit further crimes, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three consecutive days, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after the passage, and it is so enacted.

Respectfully submitted,

SMALL,  
PATTON,  
STONE,  
WOODWARD,

On the part of the Senate;

BURNS,  
DANIEL,  
JONES of Shelby,  
COLSON,  
ROGERS of Hunt,

On the part of the House.

On motion of Mr. Burns, the report was adopted by the following vote:

Yeas—103

Adamson.	Davidson.
Aikin.	Dean.
Alexander.	Dunlap.
Alsup.	Dunagan.
Baker.	Dwyer.
Barrett.	Engelhard.
Barron.	Fain.
Bourne.	Few.
Bradley.	Fisher.
Burns.	Ford.
Calvert.	Glass.
Camp.	Good.
Canon.	Goodman.
Cathey.	Greathouse.
Clayton.	Hankamer.
Colson.	Harris.
Cowley.	Hartzog.
Crossley.	Head.
Daniel.	Hicks.

Hodges.	Parkhouse.
Holekamp.	Pavlica.
Holland.	Pope.
Hoskins.	Puryear.
Huddleston.	Ramsey.
Hughes.	Ratliff.
Hunt.	Ray.
Hunter.	Reed of Bowie.
Hyder.	Reed of Dallas.
Jackson.	Roberts.
Jones of Atascosa.	Rogers of Hunt.
Jones of Runnels.	Rollins.
Jones of Shelby.	Ross.
Kyle of Hays.	Savage.
Kyle of Palo Pinto.	Scarborough.
Laird.	Stanfield.
Lemens.	Steward.
Leonard.	Stinson.
Lindsey.	Stovall.
Long.	Stubbeman.
Lotief.	Sullivan.
Mackay.	Tarwater.
Magee.	Thomas.
Mathis.	Tillery.
McCullough.	Townsend.
Merritt.	Vaughan.
Metcalfe.	Wagstaff.
Mitcham.	Walker.
Moffett.	Weinert.
Moore.	Winningham.
Morrison.	Wood.
Munson.	Young.
Palmer.	

## Absent

Beck.	Johnson of Dimmit.
Bedford.	Kayton.
Butler.	Latham.
Caven.	McClain.
Celaya.	McDougald.
Chastain.	McGregor.
Coombes.	McKee.
Devall.	Morse.
Duvall.	Nicholson.
Fuchs.	Patterson.
Golson.	Reader.
Graves.	Renfro.
Griffith.	Riddle.
Harman.	Russell.
Harrison.	Scott.
Hester.	Shannon.
Hill of Brazoria.	Shults.
Hill of Webb.	Smith.
James.	Tennyson.
Jefferson.	Turlington.
Johnson	Van Zandt.
of Anderson.	Wells.

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

PROVIDING FOR ADJOURNMENT  
SINE DIE

Mr. Vaughan offered the following resolution:

H. C. R. No. 58, Providing for adjournment sine die.

Whereas, The First Called Session of the Forty-third Legislature has now been in session thirty days, as limited by the Constitution of this State; now, therefore, be it

Resolved by the House of Representatives, and the Senate concurring, That the First Called Session of the Forty-third Legislature stand adjourned sine die at 12 o'clock noon, on this, thirteenth day of October, 1933.

The resolution was read second time.

Mr. Reed of Dallas moved that the resolution be laid on the table, subject to call.

The motion prevailed.

## HOUSE BILL NO. 10 WITH SENATE AMENDMENTS

Mr. Vaughan called up, from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 10, A bill to be entitled "An Act amending Title 126, Revised Civil Statutes, 1925, and Title 19 of the Penal Code of Texas, by adding a new article to each of said titles, to be known as Article 7438-a, Revised Civil States of 1925, and Article 1644-a, Penal Code of Texas, so as to provide for and authorize an additional defense in all suits, actions, or prosecutions under said titles; and providing that such defense shall not be available in any pending cause or in any cause of action, whether sued upon or not, for any act, trade practice, or agreement committed, performed, or attempted to be performed prior to the adoption and approval of any code, trade practice, license, or agreement legally approved, performed, or issued under the terms of the National Industrial Recovery Act; and providing for the additional remedy of injunction by the State for violations of the provisions of such titles in addition to all other penalties now provided by law; and providing for the duration and termination of this Act, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Vaughan moved that the House do not concur in the Senate amendments, and that a conference com-

mittee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Vaughan, Camp, Hankamer, Coombes, and Duvall.

#### RELATIVE TO THE PRODUCTION OF OIL

Mr. Lotief offered the following resolution:

Whereas, The Federal Government has recently undertaken the problem of regulating the amount of oil to be produced in the State of Texas by the various oil interests in such State, and has by its action and assumption of authority, encroached upon the regulations and authority of the Railroad Commission of the State of Texas; and

Whereas, The royalty owners, the lease owners, and the State of Texas are vitally interested in the oil business, and the proper regulations and production and allowable in the State of Texas; and

Whereas, There is at this time growing in the oil industry a distrust and unrest, on the part of the independent oil operators and many royalty owners in the State of Texas, evidencing a fact that some operators do not now properly gauge or cause to be gauged the oil that they run from their respective leases; and

Whereas, The taxpayers of the State of Texas are vitally interested in knowing that the State receives its proper and just accounting for the oil produced in this State, in order that it may collect its royalty, interest and taxes; and now, therefore, be it

Resolved by the House of Representatives, That the Railroad Commission and each member of said Commission, be requested to use its influence and authority in causing the Federal Government, so long as it participates in the regulations and dictates of the production of oil in the State of Texas, that it put on a necessary force of competent and experienced gaugers in the various oil fields of this State, and authorize them to gauge, seal and make reports periodically, as to the production of

oil in the various leases in said respective fields.

The resolution was read second time, and was adopted.

#### RELATIVE TO STATE-OWNED AUTOMOBILES

Mr. Merritt offered the following resolution:

Whereas, It is common knowledge that State-owned automobiles, in the hands of State employes, are in some instances, used for other than official use; and

Whereas, The State of Texas owns some 800 passenger automobiles over the use of which there is most casual supervision; and

Whereas, All of these automobiles are repaired and the operating cost is borne by the State of Texas; and

Whereas, The private use of said automobiles is a violation of the law, and a form of official misconduct; therefore, be it

Resolved, That the Speaker of the House appoint a committee of three Members to investigate the private use of State-owned and operated automobiles, and turn over such evidence as they may discover to the proper grand jury for prosecution, and to file a copy of their findings with the Attorney General of Texas; and, be it further

Resolved, That the actual expenses of such investigation be paid from the Contingent Expense Fund of the House of Representatives.

Signed—Merritt, Scott, Barrett, Hoskins, Lotief, Fuchs, Ray, Jones of Shelby, Puryear, Winningham, Shults, Coombes, Glass, Hunter, Cowley, McKay, Riddle, Jones of Runnels, Thomas, Baker, Golson, Jackson, Adamson.

The resolution was read second time.

Mr. Van Zandt moved to table the resolution.

The motion to table was lost.

Mr. Lemens offered the following amendment to the resolution:

Amend pending resolution by limiting expenditure to \$500, or so much thereof as may be necessary.

The amendment was adopted.

The resolution as amended was then adopted.

# RELATIVE TO LIBERTIES OF AMERICAN CITIZENS IN RUSSIA

Mr. Bradley offered the following resolution:

H. C. R. No. 49, Relative to rights of American citizens in Russia.

Whereas, Negotiations are pending between the United States of America and the Union of Socialist Soviet Republics of Russia for recognition of the latter by the former; and

Whereas, Said negotiations will involve the civil and religious liberties of American citizens in Russia, which said liberties have been abridged by the Bolshevik Revolution due to the persecution that generally follows civil strife and the domination of a revolutionary party with extreme programs originated in part to suppress the misuse of religion in protecting vested interests, as was experienced in the Russian Empire under the late Czars, although this practice involves a failure of the revolutionists to realize that militant religion, embracing worship of God, and realization of the immortal dignity of the soul, includes its value in improving society, both by reform and revolution; and

Whereas, There is danger that anti-religious propaganda will persist and be fostered in Russia under government sponsorship and by a continued restriction on the freedom of public worship because of the materialistic and atheistic doctrines of Marxism, which so were influenced in part by the trends of higher education at the time of its origination; and

Whereas, Without affecting Communist practices concerning property rights, the personal rights of political and religious freedom of conscience are the most sacred rights of man and among the spiritual forces of religion essential to normal society protecting marital relations and fostering character based on proper conceptions of duty, rights, and altruism, whether existing under collectivism or individualism; and

Whereas, The experience of history, including the closing of an estimated fifteen per cent (15%) or one hundred ninety-six thousand (196,000) of the churches in Russia, the governmental recognition and propagation of the Society of the Godless, the restrictions on public worship, and the compulsory attendance of children in public schools where atheism is taught

generally demonstrate the abridgment of religious liberty in Russia, which, if continued, will tend to make a failure of the great economic experiment now being made in that land; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Secretary of State of the United States is respectfully requested to undertake to protect said liberties of American citizens in Russia under the treaty that may be negotiated.

BRADLEY,  
ANDERSON,  
READER.

The resolution was read second time.

(Mr. Ford in the Chair.)

Mr. Reed of Dallas moved that the resolution be referred to the Committee on Federal Relations.

Mr. Greathouse moved that the resolution be referred to the Committee on Military Affairs.

Mr. Moore raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Morrison moved that the time for the consideration of resolutions be extended.

The motion was lost.

## RELATIVE TO THE PURCHASE OF STATE SUPPLIES

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 21, Relative to purchase of supplies for the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Mr. Metcalfe offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 21 by striking out of said resolution all of the resolving clause, and substitute in lieu thereof the following:

"Resolved by the Senate of Texas, the House of Representative concurring, That it was the intention of the Legislature that said provision should have read as follows:

"It is hereby provided that none of the moneys herein appropriated, as itemized, shall be used to employ for such itemized positions any person who is not a citizen of the United States, or who has not made application for naturalization."

The amendment was adopted.

The resolution as amended was then adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 20, A bill to be entitled "An Act defining certain words, terms, and phrases for the purpose of amending House Bill No. 578, Chapter 153, of the Acts of the Forty-third Legislature, so as to make it hereafter read as follows: 'Providing and imposing a tax on sales in intrastate commerce in this State of cigarettes, according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the State Treasurer; etc., and declaring an emergency.'"

H. B. No. 56, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 24,233 nor more than 24,333, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of ten million dollars for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency." (With amendments.)

H. B. No. 17, A bill to be entitled "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, page 734, by adding thereto Section 5-a (Article 3886-a); providing for the maximum compensation for district attorneys and county attorneys in all counties in this State having a population of one hundred thousand and one (100,001) and not more than one hundred and fifty thousand (150,000) inhabitants,

and containing a city having a population in excess of seventy-five thousand (75,000) inhabitants, according to the last preceding Federal Census; etc., and declaring an emergency." (With amendments.)

H. B. No. 81, A bill to be entitled "An Act providing a privilege license for any person before engaging in the business of a commercial fisherman, wholesale fish dealer, retail fish dealer, bait dealer, fish guide; or before operating a shrimp trawl, net, or seine, or oyster dredge for taking any aquatic life from the waters of this State for pay; naming the licenses and the fees to be paid for same; limiting the length of a seine which may be licensed and the size of the mesh of seine which may be licensed after September 1, A. D. 1934; providing aquatic products are subject to inspection by any employe of Game, Fish, and Oyster Commission; providing a rebate for holders of licenses and permits heretofore issued by the Game, Fish, and Oyster Commission; etc., and declaring an emergency."

H. B. No. 131, A bill to be entitled "An Act appropriating twenty-five thousand dollars to purchase anti-rabic serum for issuance to public health officers of cities and counties in this State, to be used to treat indigent persons only where an epidemic of rabies exists, and declaring an emergency." (With amendments.)

H. B. No. 57, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Jasper and Newton Counties during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

H. B. No. 150, A bill to be entitled "An Act amending Article 7283, of the Revised Civil Statutes of Texas, 1925, reducing the cost of redeeming land sold for taxes, and specifying the time for redemption and the money to be paid therefor, and declaring an emergency."

H. B. No. 35, A bill to be entitled "An Act to make provision for: 1— (Section 1). The adoption of a home

rule charter by counties in Texas, upon a vote of the qualified resident electors of such counties, all as provided in Section 3, Article IX, of the Constitution of the State of Texas; reference to such provisions of the Constitution here is made to the same effect as though it were embodied herein; etc., and declaring an emergency." (With amendments.)

H. B. No. 31, A bill to be entitled "An Act to provide pension fund for employes in all cities containing more than one hundred thousand (100,000) inhabitants and less than one hundred twenty thousand (120,000) inhabitants, according to the last preceding Federal Census, in counties containing more than nine hundred (900) square miles; providing for the creation of a board of trustees for the disbursement of said pension fund; directing the manner of disbursing said pension fund; and declaring an emergency." (With amendments.)

The Senate has concurred in House amendments to Senate Bill No. 97 by a viva voce vote.

The Senate has concurred in House amendments to Senate Bill No. 69 by the following vote: Yeas, 28; nays, 1.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### TO PLACE CERTAIN FUND TO CREDIT OF RURAL AID

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 23, Relative to Rural Aid Law.

Whereas, At the Regular Session of the Forty-third Legislature there was passed Senate Bill No. 242, providing an emergency appropriation of \$1,620,041, or so much thereof as may be necessary, to be used for the payment of indebtedness that occurs through the operation of the Rural Aid Law, passed by the Forty-second Legislature, Regular Session; and

Whereas, At the Regular Session of the Forty-third Legislature there was passed House Bill No. 256, known as the Rural Aid Bill, appropriating \$3,000,000 per annum, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting the public school inter-

est of rural schools and equalizing the school opportunities afforded by the State to all children of scholastic age, living in small and financially weak districts; and

Whereas, The Legislature, through House Bill No. 256, passed by the Forty-third Legislature, enlarged the program under the provisions of the Rural Aid Bill, by increasing the size of school districts, by expanding the transportation program, and by the expansion of rural school libraries, thereby making the rural aid program larger for the ensuing biennium than for the biennium just closed; and

Whereas, The program for the biennium just closed cost the State \$3,200,000 per annum; and

Whereas, There has been set aside only \$3,000,000 to take care of the enlarged program set up by the Regular Session of the Forty-third Legislature; now, therefore, be it

Resolved by the Senate of the State of Texas, First Called Session of the Forty-third Legislature, with the House of Representatives concurring, That the unexpended balance of Senate Bill No. 242, passed by the Forty-third Legislature, providing an emergency appropriation of \$1,620,041, be, and the same is hereby, declared to be carried over and placed to the credit of the Rural Aid Fund for the biennium 1933-35, to be expended according to the regulations of the Rural Aid Law for said biennium, all or so much thereof as may be necessary to carry out the provisions of said Rural Aid Law.

The resolution was read second time.

Mr. Alsup raised a point of order on further consideration of the resolution, on the ground that it seeks to amend the law by a concurrent resolution.

The Speaker sustained the point of order.

#### RELATIVE TO BUNA INDEPENDENT SCHOOL DISTRICT

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 25, Relative to Buna Independent School District of Jasper County.

Whereas, Under Senate Bill No. 242, Chapter 173, General Laws of

Texas, Forty-third Legislature, Regular Session, 1933, through error, the Consolidation Bonus of four hundred dollars (\$400) allowed the Buna Independent School District of Jasper County was omitted; and

Whereas, Under House Bill No. 100, Acts of Forty-second Legislature, Regular Session, 1931, one thousand dollars (\$1,000) was allowed the Buna Independent School District of Jasper County, and only six hundred dollars (\$600) paid, leaving a balance of four hundred dollars (\$400), which should have been included in Senate Bill No. 242, aforesaid; and,

Whereas, After the payment of all sums allowed by Senate Bill No. 242, there remains a balance in excess of one hundred thousand dollars (\$100,000); be it, therefore,

Resolved by the Senate of Texas, the House of Representative concurring, That the Buna Independent School District of Jasper County be allowed four hundred dollars (\$400) and said amount be allowed and paid as provided in Senate Bill No. 242.

The resolution was read second time, and was adopted.

#### RELATIVE TO PAYMENT OF CERTAIN FEES

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 26, Relative to payment of certain fees.

Whereas, The Regular Session of the Forty-third Legislature made appropriation for the payment of fees of county judges, county attorneys, justices of the peace, sheriffs, and constables, in examining trials actually held for the biennium, ending August 31, 1935; and

Whereas, It also made appropriation to pay fees and costs of sheriffs, attorneys, and clerks in felony cases for the biennium ending August 31, 1935; and

Whereas, Senate Bill No. 85, Acts of the Regular Session, Forty-third Legislature, allows sheriffs mileage in traveling on justice of the peace warrants where indictment is subsequently returned, and provides the mileage fee shall be charged against the examining trial appropriations, which Senate bill was passed after the appropriations above-mentioned were made; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That when the appropriation for the biennium ending August 31, 1935, made for the payment of fees of county judges, county attorneys, justices of the peace, sheriffs, and constables in examining trials actually held, and where indictments were returned, is exhausted, that the Comptroller be authorized to draw warrants in payment of such claims against the appropriation made for the payment of fees and costs of sheriffs, attorneys, and clerks in felony cases for the biennium ending August 31, 1935.

The resolution was read second time, and was adopted.

#### RELATIVE TO ROUTING CERTAIN ROAD THROUGH KENEDY COUNTY

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 27, Relative to routing certain road through Kenedy County.

Whereas, On May 27, 1933, Robert Kleberg, under a Kingsville, Texas, date line, addressed a letter to Hon. Archie Parr, Senate Chamber, Austin, Texas, which communication was approved by John G. Kenedy, Jr., H. F. and J. C. McGill, Caesar Kleberg, Will Ball, Charles M. Armstrong, Frausto Yterria, and Daniel Yterria, and in said communication the following agreement and contract was tendered the State of Texas through the Highway Commission of Texas in the following language, to wit:

"I submit this statement with the proposal, through you, our Senator and life-long friend, if it meets with your approval, that the Highway Commission be requested to have prepared a complete engineering report of the possibilities, cost, safety, all-weather features, traffic capacity, present and future of both projects under consideration, namely the proposed Padre Island road and the route paralleling the Missouri Pacific Railroad; that such study and survey be commenced without delay, and that the report of the Commission, together with its findings, conclusions, and recommendations, be completed and made public in the shortest possible time, consistent with



a full and fair consideration of the problems involved. I request also that a representative of the Bureau of Public Roads of the Federal Department of Agriculture be invited to join the Commission in the proposed investigation. When the proposed study and investigation have been completed, and the Highway Commission has reached a decision and is prepared to build the road, the interested land owners of Kenedy County will immediately and without delay request the Commissioners Court of Kenedy County to co-operate with the Highway Commission in securing the necessary right of way for whichever route the Commission may recommend."

(Said communication appears on pages 2357 to 2359, of the Senate Journal, Regular Session of the Forty-third Legislature.); and

Whereas, The State Senate of Texas, at its Regular Session of the Forty-third Legislature, adopted Senate Simple Resolution No. 121, appearing on page 2360, of the Senate Journal of said Regular Session, to wit:

"Whereas, Interested landowners, in a communication addressed to the Hon. Archie Parr, Senator from the Twenty-seventh Senatorial District, have requested that the Highway Commission make a survey and report covering two suggested routes for the Hug-the-Coast Highway through Kenedy County; and

Whereas, Said interested landowners have agreed to abide by the recommendations of said Highway Commission based upon such study and investigation, and to co-operate in securing the necessary right of ways for a highway through Kenedy County for such route as the Highway Commission may recommend; now, therefore, be it

Resolved, That the Senate of Texas hereby requests the Highway Commission to proceed without delay to make a thorough study of the two routes proposed and that it expedite with all possible dispatch the completion of such study and investigation and make public its recommendation as soon as possible in order that construction of the proposed highway may be commenced as soon as may be practical.

Signed—Purl, Parr, Woodul, Woodward, Rawlings, Hornsby, Duggan, Poage, Regan, Stone, Martin, Blackert, Neal, Murphy, Russek, Redditt, Sanderford, Pace, Fellbaum, Woodruff, Greer, Moore, Patton, Holbrook."

(Said simple resolution was adopted by the Senate on May 29, 1933.); and

Whereas, The said Highway Commission of Texas directed the State Highway Engineer to make or cause to be made, said comparative survey, and determine the location or construction of a State highway on what is known as the Padre Island or on Highway No. 96 through Kenedy County; and

Whereas, The said survey was so made, and report thereof made to the State Highway Department of Texas, and on September 19, 1933, as appears from Minute No. 8149½ of the State Highway Commission, the State Highway Commission of Texas entered the following order to wit:

"Whereas, The Senate of Texas by resolution requested the State Highway Department to make a comparative survey of what is known as the Padre Island Route from Corpus Christi to Point Isabel, and Highway No. 96 through Kenedy County; and

Whereas, The survey has been completed and all data furnished the Highway Department, and it has been determined that the location and construction of a State highway on what is known as Padre Island is impracticable;

It is therefore ordered by the Highway Commission that what is known as the Kenedy County Route or Highway No. 96 be and the same is hereby adopted in preference to the Padre Island Route and the State Highway Engineer is directed to make a location through Kenedy County as soon as practicable, so that right of way may be furnished under the terms of an agreement entered into by and between certain property owners in Kenedy County and representatives of the Highway Department and State Senate, with the understanding that after the survey has been completed and right of way furnished, the road through Kenedy County will be constructed as soon as funds are available"; and

Whereas, the records in the office of the Highway Commission of

Texas show that the highway running north and south through Willacy County is paved to the northern boundary line of Willacy County, which is the southern boundary line of Kenedy County, and that the terminus of the pavement is immediately east of the right of way of the Missouri Pacific Railroad, referred to in the communication of Robert Kleberg, and that the end of the said pavement is the beginning of the road right of way through Kenedy County, and since the proposition made by said interested land owners in said communication addressed to the Hon. Archie Parr requires the location of the said road right of way through Kenedy County to be parallel with said railroad, the Highway Commission has by its said order accepted said contract, and approved the same. Said road right of way through Kenedy County has been by virtue of said communication, and Simple Resolution of the Senate, No. 121, and said order of said Highway Commission, made a binding contract, and fixed the location and designation of said road right of way through Kenedy County and constitutes a binding gift by said property owners to the State of Texas of said road right of way; now, therefore, be it

Resolved by the Senate of Texas, the House concurring, That the State Highway Engineer of the State of Texas, be, and he is hereby, directed to supply to the Senate of Texas, on or before 12 o'clock noon, October 13, 1933, a map of said proposed right of way through Kenedy County parallel with said railroad as provided in said communication of Robert Kleberg and said Senate Simple Resolution No. 121 and said order of said Highway Commission of Texas, and that on or before October 20, 1933, the said State Highway Engineer supply sufficient data from his office and from the office of the County Clerks of Kenedy County, Texas, and Kleberg County, Texas, from which the field notes of said road right of way can be made certain, and that said interested land owners be requested by a letter, or letters, submitted from said Highway Department, to supply deeds to said road right of way in accordance with the said contract on or before the first day of November, 1933, and that said contract and designation of said road right of way through Kenedy County made as aforesaid through the Senate

of Texas, be, and the same is hereby, accepted and approved, and the said State Highway Engineer is hereby directed to immediately remove the cross-fences from said right of way and designate the middle line of said road right of way for such use as the public shall desire to make thereof, pending the better improvement of said road by the Highway Commission of Texas; be it further

Resolved, That the State Highway Commission of Texas be, and it is hereby, directed to use such funds as are now available for the immediate construction of the said road; provided that this resolution, shall not be construed to authorize the Highway Commission to give priority to this project over pending road projects.

The resolution was read second time, and was adopted.

#### HOUSE BILL NO. 56 WITH SENATE AMENDMENTS

Mr. Lindsey called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 56, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 24,233 nor more than 24,333, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of ten million dollars for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Lindsey, the House concurred in the Senate amendments.

#### HOUSE CONCURRENT RESOLUTION NO. 27 WITH SENATE AMENDMENTS

Mr. McDougald called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 27, Granting J. D. Campbell permission to leave the State.

The Speaker laid the resolution before the House, with the Senate amendments.

On motion of Mr. McDougald, the House concurred in the Senate amendments.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 11, A bill to be entitled "An Act making an appropriation, to be paid out of the General Revenue Fund of the State of Texas, the sum of two thousand five hundred dollars (\$2,500), not otherwise appropriated, to pay for an electric frigid unit for the Governor's Mansion; to build a retaining wall on the north side of the grounds of the Governor's Mansion; to fill the low places on the north side of the grounds, and to do such other work as may be necessary, and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act amending Article 2529, Chapter 1, Title 47, Revised Civil Statutes of 1925, as amended by Chapter 57, First Called Session, Fortieth Legislature, as further amended by Chapter 124, General Laws, Regular Session, Forty-first Legislature, and as further amended by Senate Bill No. 551, Chapter 240, General Laws, Regular Session, Forty-third Legislature, to authorize the State Depository Board to accept warrants drawn against the General Revenue Fund of the State as collateral to secure deposits made by the State in State depositories; etc., and declaring an emergency."

H. B. No. 85, A bill to be entitled "An Act authorizing any county, political subdivision, or defined district thereof to hold an election for the purpose of determining whether it will repurchase any road bonds sold and outstanding at the time of the passage of this Act, out of unexpended and unpledged funds received from the original sale of said bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting

such road bonds; providing for the cancellation and destruction of such road bonds upon repurchase by reason of such election; etc., and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act prohibiting the use of a seine or net for taking fish from any of the waters of Bastrop County, excepting a minnow seine for the purpose of taking bait; providing a penalty, and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act granting the Commissioners Court of Childress County, Texas, power to use all or any part of the interest collected on notes held by the said Childress County against Childress County school land in Bailey and Cochran Counties, Texas; etc., and declaring an emergency."

H. B. No. 102, A bill to be entitled "An Act providing for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than seven thousand six hundred and forty-five (7,645) and not more than seven thousand six hundred and ninety (7,690) population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 108, A bill to be entitled "An Act to provide that where a majority of the resident taxpayers being qualified electors of any city or town in this State having a population in excess of ten thousand (10,000) inhabitants, having voted at an election held in such city or town in favor of the expending of public funds in such city or town in carrying out the provisions of Chapter 10, General Laws of the Thirty-sixth Legislature, Regular Session; etc., and declaring an emergency." (With amendments.)

H. B. No. 132, A bill to be entitled "An Act making an additional allocation and appropriation of the revenues derived from the tax levied and collected on the gross sales of gas transmission lines by the provisions of Article 6060, Revised Civil Statutes, for the use of the Gas Utilities Division of the Railroad Commission in enforcing the provisions of Ar-

ticles 6050 et seq., Revised Civil Statutes, relative to the regulation of gas utilities; limiting the amount to be used during any twelve months' period to \$70,000, as provided in Article 6066, and in all events to the amount of revenue collected in any such twelve months' period if a lesser sum be collected; etc., and declaring an emergency."

H. B. No. 145, A bill to be entitled "An Act amending Article 1041, of the Revised Code of Criminal Procedure of Texas, by adding thereto Article 1041-a, providing for the compensation of jailers and/or turnkeys in all counties in the State having a population of one hundred thousand and one (100,001) inhabitants and not more than one hundred and fifty thousand (150,000) inhabitants, and containing two cities of fifty thousand (50,000) population or more, each according to the last preceding Federal Census, and declaring an emergency."

H. B. No. 146, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 22,296 nor more than 22,580, according to the last Federal Census, and providing for the manner and the fund from which said salaries shall be paid, and declaring an emergency." (With amendments.)

H. B. No. 147, A bill to be entitled "An Act to amend Article 1970, Section 94-b, of the Revised Civil Statutes of 1925, as amended by Chapter 16, Section 6, of the Acts of the Forty-first Legislature, relating to the salary paid the official court reporter of the County Court at Law, of Harris County, Texas, and declaring an emergency."

H. B. No. 213, A bill to be entitled "An Act for the purpose of opening the waters of Lavaca Bay in Calhoun County, Texas, for shrimp trawling, during the months of September, October, November, and December of each year; opening Powder Horn Lake, in Calhoun County, Texas, for seining, during the months of December, January, and February of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### GRANTING THE GRAND LODGE OF THE SONS OF HERMANN PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 19, Granting the Grand Lodge of the Order of the Sons of Hermann permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted.

#### HOUSE BILL NO. 146 WITH SENATE AMENDMENTS

Mr. Dunagan called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 146, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 22,296 nor more than 22,580, according to the last Federal Census, and providing for the manner and the fund from which said salaries shall be paid, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Dunagan moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

#### HOUSE BILL NO. 31 WITH SENATE AMENDMENTS

Mr. Hankamer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 31, A bill to be entitled "An Act to provide pension fund for employes in all cities containing more than one hundred thousand (100,000) inhabitants and less than one hundred twenty thousand (120,000) inhabitants, according to the last preceding Federal Census, in counties containing more than nine hundred (900) square miles; providing for the creation of a board of trustees for the disbursement of said pension fund;

directing the manner of disbursing said pension fund; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Hankamer, the House concurred in the Senate amendments by the following vote:

## Yeas—102

Adamson.	Latham.
Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Long.
Baker.	Lotief.
Barrett.	Mackay.
Barron.	Magee.
Bourne.	Mathis.
Bradley.	McCullough.
Camp.	McDougald.
Canon.	McKee.
Cathey.	Merritt.
Celaya.	Moffett.
Chastain.	Moore.
Colson.	Morrison.
Crossley.	Morse.
Davidson.	Munson.
Dean.	Nicholson.
Devall.	Parkhouse.
Dunagan.	Pavlica.
Duvall.	Pope.
Dwyer.	Puryear.
Fain.	Ratliff.
Few.	Reader.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Goodman.	Rollins.
Greathouse.	Ross.
Hankamer.	Russell.
Harris.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Smith.
Hoskins.	Stanfield.
Huddleston.	Stinson.
Hughes.	Stubbeman.
Hunter.	Tennyson.
Jackson.	Thomas.
James.	Tillery.
Jefferson.	Townsend.
Johnson.	Turlington.
of Anderson.	Van Zandt.
Johnson.	Vaughan.
of Dimmit.	Wagstaff.
Jones of Runnels.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Young.

## Absent

Beck.	Burns.
Bedford.	Butler.

Calvert.	Jones of Shelby.
Caven.	Kayton.
Clayton.	Laird.
Coombes.	Lindsey.
Cowley.	McClain.
Daniel.	McGregor.
Dunlap.	Metcalfe.
Engelhard.	Mitcham.
Good.	Palmer.
Graves.	Patterson.
Griffith.	Ramsey.
Harman.	Ray.
Harrison.	Riddle.
Hester.	Steward.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Tarwater.
Hunt.	Wells.
Hyder.	Winningham.
Jones of Atascosa.	Wood.

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

HOUSE BILL NO. 108 WITH  
SENATE AMENDMENTS

Mrs. Hughes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 108, A bill to be entitled "An Act to provide that where a majority of the resident taxpayers being qualified electors of any city or town in this State having a population in excess of ten thousand (10,000) inhabitants, having voted at an election held in such city or town in favor of the expending of public funds in such city or town in carrying out the provisions of Chapter 10, General Laws of the Thirty-sixth Legislature, Regular Session; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mrs. Hughes, the House concurred in the Senate amendments by the following vote:

## Yeas—104

Adamson.	Celaya.
Aikin.	Chastain.
Alsup.	Colson.
Baker.	Crossley.
Barrett.	Davidson.
Barron.	Dean.
Beck.	Devall.
Bedford.	Duvall.
Bourne.	Engelhard.
Bradley.	Fain.
Camp.	Few.
Canon.	Fisher.
Cathey.	Ford.

Fuchs.	Metcalf.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Moore.
Goodman.	Morrison.
Greathouse.	Munson.
Hankamer.	Nicholson.
Harris.	Parkhouse.
Head.	Pavlica.
Hicks.	Pope.
Hill of Webb.	Puryear.
Hodges.	Ratliff.
Holekamp.	Reader.
Holland.	Reed of Bowie.
Hoskins.	Reed of Dallas.
Huddleston.	Roberts.
Hughes.	Rogers of Hunt.
Hunt.	Rollins.
Jackson.	Ross.
James.	Russell.
Jefferson.	Savage.
Johnson	Scarborough.
of Anderson.	Shannon.
Johnson	Shults.
of Dimmit.	Smith.
Jones of Atascosa.	Stanfield.
Jones of Runnels.	Stinson.
Kyle of Hays.	Stubbeman.
Kyle of Palo Pinto.	Tarwater.
Latham.	Tennyson.
Lemens.	Thomas.
Leonard.	Tillery.
Lindsey.	Townsend.
Long.	Turlington.
Mackay.	Van Zandt.
Magee.	Vaughan.
Mathis.	Walker.
McCullough.	Weinert.
McDougald.	Winningham.
Merritt.	Young.

## Absent

Alexander.	Jones of Shelby.
Burns.	Kayton.
Butler.	Laird.
Calvert.	Lotief.
Caven.	McClain.
Clayton.	McGregor.
Coombes.	McKee.
Cowley.	Morse.
Daniel.	Palmer.
Dunlap.	Patterson.
Dunagan.	Ramsey.
Dwyer.	Ray.
Graves.	Renfro.
Griffith.	Riddle.
Harman.	Scott.
Harrison.	Steward.
Hartzog.	Stovall.
Hester.	Sullivant.
Hill of Brazoria.	Wagstaff.
Hunter.	Wells.
Hyder.	Wood.

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

## TO SUSPEND CERTAIN JOINT RULE

Mr. Bradley offered the following resolution:

H. C. R. No. 56, To suspend certain Joint Rule.

Whereas, Senate Bill No. 49 is before the House for third reading and final passage; now, therefore, be it

Resolved by the House, the Senate concurring, That Rule XI, of the Joint Rules of the House and Senate, be, and it is hereby, suspended until the final disposition of Senate Bill No. 49.

MATHIS,  
BRADLEY.

The resolution was read second time.

Question recurring on the adoption of the resolution, yeas and nays were demanded.

The resolution was lost (not receiving the necessary two-thirds vote) by the following vote:

## Yeas—67

Bedford.	Latham.
Bradley.	Lemens.
Camp.	Leonard.
Cathey.	Long.
Caven.	Lotief.
Celaya.	Mackay.
Colson.	Mathis.
Davidson.	McCullough.
Dean.	McDougald.
Duval.	Moffett.
Dwyer.	Moore.
Engelhard.	Morse.
Fain.	Nicholson.
Few.	Parkhouse.
Ford.	Pavlica.
Fuchs.	Pope.
Glass.	Reader.
Good.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Roberts.
Hankamer.	Rollins.
Hartzog.	Ross.
Head.	Savage.
Hill of Webb.	Shannon.
Hodges.	Shults.
Holland.	Smith.
Hoskins.	Stanfield.
Hughes.	Tarwater.
Jackson.	Turlington.
Johnson	Van Zandt.
of Dimmit.	Walker.
Jones of Atascosa.	Weinert.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Young.

## Nays—43

Adamson.	Jones of Runnels.
Aikin.	Lindsey.
Alsup.	Magee.
Baker.	McClain.
Barrett.	McKee.
Beck.	Merritt.
Bourne.	Munson.
Canon.	Puryear.
Chastain.	Ratliff.
Crossley.	Reed of Bowie.
Dunagan.	Rogers of Hunt.
Fisher.	Russell.
Golson.	Scarborough.
Goodman.	Stubbeman.
Harris.	Tennyson.
Hicks.	Tillery.
Holekamp.	Townsend.
Huddleston.	Vaughan.
Hunt.	Wagstaff.
Hunter.	Winningham.
James.	Wood.
Johnson of Anderson.	

## Present—Not Voting

Devall.

## Absent

Alexander.	Kayton.
Barron.	Laird.
Burns.	McGregor.
Butler.	Metcalf.
Calvert.	Mitcham.
Clayton.	Morrison.
Coombes.	Palmer.
Cowley.	Patterson.
Daniel.	Ramsey.
Dunlap.	Ray.
Graves.	Riddle.
Harman.	Scott.
Harrison.	Steward.
Hester.	Stinson.
Hill of Brazoria.	Stovall.
Hyder.	Sullivant.
Jefferson.	Thomas.
Jones of Shelby.	

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 146

The Speaker announced the appointment of the following conference committee on House Bill No. 146: Messrs. Dunagan, Latham, Dean, Scott, and McClain.

TO SUSPEND CERTAIN JOINT  
RULE

Mr. Parkhouse offered the following resolution:

H. C. R. No. 57, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules, relative to the Twenty-four-hour Rule, be, and is hereby, suspended, so as to allow the House to take up and consider Senate Bill No. 39, until finally disposed of.

PARKHOUSE,  
SAVAGE,  
COOMBES,  
McCULLOUGH,  
STINSON,  
HUGHES,  
REED of Dallas.

The resolution was read second time.

Question recurring on the adoption of the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—84

Adamson.	Hunt.
Alexander.	Hyder.
Alsup.	Jackson.
Baker.	Johnson
Barrett.	of Anderson.
Barron.	Johnson
Beck.	of Dimmit.
Bourne.	Jones of Atascosa.
Bradley.	Jones of Runnels.
Camp.	Jones of Shelby.
Canon.	Kyle of Hays.
Cathey.	Kyle of Palo Pinto.
Caven.	Latham.
Chastain.	Leonard.
Clayton.	Lindsey.
Coombes.	Mackay.
Crossley.	Magee.
Dean.	McClain.
Engelhard.	McCullough.
Fain.	McGregor.
Few.	McKee.
Ford.	Merritt.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Moore.
Good.	Morrison.
Goodman.	Nicholson.
Greathouse.	Parkhouse.
Griffith.	Pavlica.
Hankamer.	Pope.
Harris.	Reed of Dallas.
Hicks.	Riddle.
Hill of Webb.	Rogers of Hunt.
Hodges.	Russell.
Holland.	Savage.
Huddleston.	Scott.
Hughes.	Shannon.

Shults.  
Smith.  
Stinson.  
Stubbeman.  
Tarwater.  
Thomas.

Townsend.  
Turlington.  
Van Zandt.  
Walker.  
Wells.  
Wood.

## Nays—31

Aikin.	Puryear.
Devall.	Ratliff.
Dunagan.	Reed of Bowie.
Duvall.	Renfro.
Dwyer.	Roberts.
Fisher.	Rollins.
Harrison.	Ross.
Head.	Scarborough.
Holekamp.	Stanfield.
James.	Tennyson.
Jefferson.	Tillery.
Lemens.	Vaughan.
Long.	Wagstaff.
Lotief.	Weinert.
Mathis.	Winningham.
Munson.	

## Absent

Bedford.	Hunter.
Burns.	Kayton.
Butler.	Laird.
Calvert.	McDougald.
Celaya.	Metcalfe.
Colson.	Morse.
Cowley.	Palmer.
Daniel.	Patterson.
Davidson.	Ramsey.
Dunlap.	Ray.
Graves.	Reader.
Harman.	Steward.
Hartzog.	Stovall.
Hester.	Sullivan.
Hill of Brazoria.	Young.
Hoskins.	

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

## HOUSE BILL NO. 35 WITH SENATE AMENDMENTS

Mr. Morse called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 35, A bill to be entitled "An Act to make provision for: 1—(Section 1). The adoption of a home rule charter by counties in Texas, upon a vote of the qualified resident electors of such counties, all as provided in Section 3, Article IX, of the Constitution of the State of Texas; reference to such provisions of the Constitution here is made to the same effect as though it were embodied herein; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Morse the House concurred in the Senate amendments by the following vote:

## Yeas—111

Adamson.	Kyle of Hays.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Barrett.	Lindsey.
Barron.	Long.
Beck.	Lotief.
Bourne.	Mackay.
Bradley.	Magee.
Camp.	Mathis.
Canon.	McClain.
Cathey.	McKee.
Caven.	Merritt.
Chastain.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Coombes.	Morrison.
Crossley.	Morse.
Davidson.	Munson.
Dean.	Nicholson.
Devall.	Palmer.
Engelhard.	Pavlica.
Fain.	Pope.
Few.	Ratliff.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rollins.
Griffith.	Ross.
Hankamer.	Russell.
Harrison.	Savage.
Head.	Scarborough.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Smith.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stubbeman.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Walker.
Johnson	Weinert.
of Dimmit.	Wells.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.
Kayton.	



## Present—Not Voting

Baker.

## Absent

Bedford.	Hunter.
Burns.	Kyle of Palo Pinto.
Butler.	Leonard.
Calvert.	McCullough.
Celaya.	McDougald.
Cowley.	McGregor.
Daniel.	Metcalfe.
Dunlap.	Parkhouse.
Dunagan.	Patterson.
Duvall.	Puryear.
Dwyer.	Ramsey.
Graves.	Ray.
Greathouse.	Reader.
Harman.	Shults.
Harris.	Stovall.
Hartzog.	Sullivant.
Hester.	Wagstaff.

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

TO SUSPEND CERTAIN JOINT  
RULE

Mr. Clayton offered the following resolution:

H. C. R. No. 59, To suspend certain Joint Rule.

It is resolved by the House of Representatives, the Senate concurring, That Rule XI of the Joint Rules of both Houses be, and is hereby, suspended so as to allow the House to take up and consider, until finally passed, House Bill No. 116.

CLAYTON,  
HANKAMER,  
JACKSON.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 17 WITH SENATE  
AMENDMENTS

Mr. Clayton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 17, A bill to be entitled "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, page 734, by adding thereto Section 5-a (Article 3886-a); providing for the maximum compensation for district attorneys and county attorneys in all counties in this State having a population of one hundred thousand and one (100,001) and not more than one hundred and

fifty thousand (150,000) inhabitants, and containing a city having a population in excess of seventy-five thousand (75,000) inhabitants, according to the last preceding Federal Census; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Clayton, the House concurred in the Senate amendments by the following vote:

## Yeas—109

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kayton.
Baker.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Beck.	Laird.
Bourne.	Latham.
Bradley.	Lindsey.
Camp.	Long.
Canon.	Mackay.
Cathey.	Magee.
Caven.	Mathis.
Celaya.	McClain.
Chastain.	McCullough.
Clayton.	Mitcham.
Crossley.	Moffett.
Daniel.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunagan.	Munson.
Duvall.	Nicholson.
Engelhard.	Palmer.
Fain.	Parkhouse.
Few.	Pavlica.
Fisher.	Pope.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Good.	Reader.
Goodman.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Hankamer.	Riddle.
Harrison.	Roberts.
Head.	Rogers of Hunt.
Hicks.	Ross.
Hill of Brazoria.	Russell.
Hodges.	Savage.
Holland.	Scarborough.
Hoskins.	Shannon.
Huddleston.	Shults.
Hughes.	Smith.
Hunt.	Stanfield.
Hyder.	Steward.
Jackson.	Stinson.
James.	Stubbsman.
Jefferson.	Tennyson.
Johnson	Thomas.
of Anderson.	Tillery.
Johnson	Townsend.
of Dimmit.	Turlington.

Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.

Weinert.  
Wood.  
Young.

## Absent

Barrett.	Hunter.
Bedford.	Lemens.
Burns.	Leonard.
Butler.	Lotief.
Calvert.	McDougald.
Colson.	McGregor.
Coombes.	McKee.
Cowley.	Merritt.
Davidson.	Metcalfe.
Dunlap.	Patterson.
Dwyer.	Ray.
Golson.	Rollins.
Graves.	Scott.
Harman.	Stovall.
Harris.	Sullivant.
Hartzog.	Tarwater.
Hester.	Wells.
Hill of Webb.	Winningham.
Holekamp.	

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

CONFERENCE COMMITTEE RE-  
PORT ON HOUSE BILL  
NO. 53

Mr. Moffett called up, for consideration at this time, the conference committee report on House Bill No. 53;

The report having heretofore been submitted to the House, and printed in the Journal.

On motion of Mr. Moffett, the report was adopted by the following vote:

## Yeas—107

Adamson.	Engelhard.
Aikin.	Fain.
Alexander.	Few.
Alsup.	Fisher.
Baker.	Ford.
Barron.	Fuchs.
Beck.	Glass.
Bourne.	Golson.
Bradley.	Good.
Camp.	Graves.
Canon.	Greathouse.
Cathey.	Hankamer.
Caven.	Harris.
Celaya.	Harrison.
Chastain.	Head.
Cowley.	Hicks.
Crossley.	Hill of Brazoria.
Daniel.	Hodges.
Dean.	Holland.
Dunagan.	Hoskins.
Duvall.	Huddleston.

Hughes.	Ramsey.
Hunt.	Ratliff.
Jackson.	Reed of Dallas.
James.	Renfro.
Johnson	Riddle.
of Anderson.	Roberts.
Johnson	Rogers of Hunt.
of Dimmit.	Rollins.
Jones of Atascosa.	Ross.
Jones of Runnels.	Russell.
Jones of Shelby.	Savage.
Kayton.	Scarborough.
Kyle of Palo Pinto.	Scott.
Laird.	Shannon.
Latham.	Shults.
Lemens.	Smith.
Leonard.	Stanfield.
Lindsey.	Steward.
Long.	Stinson.
Lotief.	Stovall.
Mackay.	Stubtman.
Magee.	Tennyson.
Mathis.	Thomas.
McClain.	Tillery.
Moffett.	Townsend.
Moore.	Turlington.
Morrison.	Van Zandt.
Morse.	Wagstaff.
Munson.	Walker.
Nicholson.	Weinert.
Palmer.	Winningham.
Parkhouse.	Wood.
Pavlica.	Young.
Puryear.	

## Nays—1

Coombes.

## Absent

Barrett.	Hyder.
Bedford.	Jefferson.
Burns.	Kyle of Hays.
Butler.	McCullough.
Calvert.	McDougald.
Clayton.	McGregor.
Colson.	McKee.
Davidson.	Merritt.
Devall.	Metcalfe.
Dunlap.	Mitcham.
Dwyer.	Patterson.
Goodman.	Pope.
Griffith.	Ray.
Harman.	Reader.
Hartzog.	Reed of Bowie.
Hester.	Sullivant.
Hill of Webb.	Tarwater.
Holekamp.	Vaughan.
Hunter.	Wells.

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

TO SUSPEND CERTAIN JOINT  
RULE

Mr. Caven offered the following resolution:

H. C. R. No. 60, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, Senate concurring, That Rule XI, of the Joint Rules of both Houses, be suspended, so as to permit the Senate to consider and finally pass House Bill No. 176.

CAVEN,  
LATHAM,  
TURLINGTON.

The resolution was read second time, and was adopted.

#### TO SUSPEND CERTAIN JOINT RULE

Mr. Kayton offered the following resolution:

H. C. R. No. 62, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended, so as to allow the House to take up and consider, until finally passed, Senate Bill No. 73.

The resolution was read second time, and was lost.

#### TO SUSPEND CERTAIN JOINT RULE

Mr. Turlington offered the following resolution:

H. C. R. No. 63, To suspend certain Joint Rule.

Whereas, Owing to the end of the Session being immediately at hand, and the Twenty-four-hour Rule is now in effect; and

Whereas, Senate Bill No. 62 is a very important measure, and should be given consideration; now, therefore, be it

Resolved by the House of Representatives, Senate concurring, That Joint Rule XI, be, and the same is hereby, suspended.

The resolution was read second time, and was lost.

#### HOUSE BILL NO. 131 WITH SENATE AMENDMENTS

Mr. Coombes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 131, A bill to be entitled "An Act appropriating twenty-five

thousand dollars to purchase anti-rabic serum for issuance to public health officers of cities and counties in this State, to be used to treat indigent persons only where an epidemic of rabies exists, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Coombes, the House concurred in the Senate amendments by the following vote:

Yeas—101

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Baker.	Lemens.
Barrett.	Leonard.
Barron.	Lindsey.
Beck.	Long.
Bourne.	Lotief.
Bradley.	Mackay.
Burns.	Magee.
Canon.	Mathis.
Cathey.	McClain.
Caven.	McCullough.
Chastain.	McGregor.
Clayton.	McKee.
Coombes.	Merritt.
Crossley.	Metcalfe.
Daniel.	Mitcham.
Dean.	Moffett.
Duvall.	Moore.
Engelhard.	Morrison.
Fain.	Morse.
Few.	Munson.
Ford.	Nicholson.
Fuchs.	Palmer.
Glass.	Parkhouse.
Golson.	Pavlica.
Good.	Ramsey.
Goodman.	Ratliff.
Graves.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Roberts.
Harman.	Rogers of Hunt.
Harris.	Rollins.
Harrison.	Ross.
Head.	Russell.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Hodges.	Smith.
Holekamp.	Stanfield.
Holland.	Stinson.
Hoskins.	Stovall.
Hughes.	Tennyson.
Hyder.	Thomas.
Jackson.	Townsend.
James.	Van Zandt.
Jefferson.	Wagstaff.
Johnson.	Weinert.
of Dimmit.	Wood.
Jones of Atascosa.	Young.

## Nays—11

Fisher.	Reed of Bowie.
Hartzog.	Tillery.
Hicks.	Vaughan.
Huddleston.	Walker.
Hunt.	Winningham.
Puryear.	

## Absent

Bedford.	Kyle of Hays.
Butler.	Latham.
Calvert.	McDougald.
Camp.	Patterson.
Celaya.	Pope.
Colson.	Ray.
Cowley.	Reader.
Davidson.	Riddle.
Devall.	Savage.
Dunlap.	Scarborough.
Dunagan.	Scott.
Dwyer.	Steward.
Hankamer.	Stubbeman.
Hester.	Sullivan.
Hunter.	Tarwater.
Johnson	Turlington.
of Anderson.	Wells.
Kayton.	

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

## HOUSE BILL NO. 179 WITH SENATE AMENDMENTS

Mr. Engelhard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 179, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing payment of said miscellaneous claims on the taking effect of this Act."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Engelhard moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

## HOUSE BILL NO. 79 WITH SENATE AMENDMENTS

Mr. Wells called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 79, A bill to be entitled "An Act amending Chapter 101, of the Special Laws of the Regular Session of the Forty-third Legislature, prohibiting the taking, killing, or possession of wild fox for the purpose of barter or sale, and prohibiting the use of steel traps for taking fur-bearing animals in certain counties, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Wells, the House concurred in the Senate amendments.

## TO SUSPEND CERTAIN JOINT RULE

Mr. Alsup offered the following resolution:

H. C. R. No. 64, To suspend certain Joint Rule.

Whereas, Senate Bill No. 35 is before the House for consideration; now therefore, be it

Resolved by the House, the Senate concurring, That Rule XI of the Joint Rules of the House and Senate be, and it is hereby, suspended until the final disposition of Senate Bill No. 35.

The resolution was read second time, and was adopted.

## HOUSE BILL NO 121 WITH SENATE AMENDMENTS

Mr. Harman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 121, A bill to be entitled "An Act appropriating the sum of \$1,200 for each of the two years beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred cases under the provisions of Chapter 151, of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Harman moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

### TO SUSPEND CERTAIN JOINT RULE

Mr. Mitcham offered the following resolution:

H. C. R. No. 65, To suspend certain Joint Rule.

Whereas, Owing to the end of the Session being immediately at hand, and the Twenty-four-hour Rule is now in effect; and

Whereas, Senate Bill No. 62 is a very important measure, and should be given consideration; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That Joint Rule XI be, and the same is hereby, suspended, until the bill is finally disposed of.

The resolution was read second time, and was adopted.

### TO SUSPEND CERTAIN JOINT RULE

Mr. McGregor offered the following resolution:

H. C. R. No. 66, To suspend certain Joint Rule.

Be it resolved by the House, the Senate concurring, That Joint Rule XI be suspended, so that the House may take up and pass Senate Bill No. 72.

The resolution was read second time, and was lost.

Mr. Moore moved to reconsider the vote by which the resolution was lost, and to table the motion to reconsider.

The motion to table prevailed.

### CONFERENCE COMMITTEE ON HOUSE BILL NO. 121

The Speaker announced the appointment of the following conference committee on House Bill No. 121: Messrs. Harman, Clayton, Riddle, Sullivant, and Aikin.

### REPORT OF THE COMMITTEE IN REGARD TO SELLING STATE JOBS

Mr. Burns submitted the following report of the committee heretofore appointed to investigate the charges that State jobs were being sold:

To the Hon. Coke Stevenson:

We, your Committee on Appropriations, to which Committee was delegated the duty of investigating certain matters relative to the sale of jobs by persons connected with the Live Stock Sanitary Commission, of the State of Texas, as well as any other State departments, under House Simple Resolution No. 32, beg leave to report as follows:

Immediately upon the passage of House Simple Resolution No. 32, the Committee on Appropriations met, and, upon motion, Chairman Harman appointed as a steering committee to take charge of the production of testimony before the Committee, Gordon M. Burns, of Walker County, O. F. Chastain, of Eastland County, and H. N. Graves, of Williamson County. We immediately proceeded in the taking of testimony and the investigation of charges contained in such resolution. There were many witnesses from over the State called before your Committee, and their testimony was taken down and is being transcribed by the reporters.

Dr. E. F. Jarrel, a member of the Live Stock Sanitary Commission, was present during the taking of testimony on the first day, October 10, and participated in the eliciting of testimony.

After an exhaustive inquiry into matters relative to the sale of positions in the Live Stock Sanitary Commission, we are of the opinion that the testimony strongly implicated Dr. E. F. Jarrel in the sales of such positions, and evidenced a knowledge upon his part, of such sales, as well as a complicity therein; we are convinced that many people throughout the State paid their money under the impression that they were to be given jobs and placed on the State pay roll, but in practically all the instances brought to our attention, no permanent positions were awarded. Some of the money payments were returned either in whole or in part. Some of the payments were primarily made with checks, but in the major portion of such instances, the money was returned to the giver of the check, and the check destroyed, and then the money itself again accepted by the person pretending to sell the job. We found that a few persons, who had paid for jobs, were

employed for a short period, and then discharged after only a short period of employment.

We find that many of the persons so paying for jobs, but who had not received positions, became dissatisfied with the progress of the awarding of such jobs, and were very insistent upon the receiving of such jobs, or a return of their money; some of them were paid back a portion of their money, and some have received all of their money, and some of them have received no money at all, but practically all of them were dissatisfied with their treatment relative to the money that they had paid out, and practically all unanimous that they had paid their money out for State jobs that were promised them.

From the testimony, we are led to conclude that we have sufficient grounds to believe that Dr. E. F. Jarrel, a member of the Live Stock Sanitary Commission, a State officer, was actively concerned in this job selling, and that he received, directly and indirectly, some of the money so paid for such jobs and that we have reason to believe that we have sufficient testimony to charge this State officer with such transactions.

Your Committee has now been shown a copy of a written statement signed by Dr. E. F. Jarrel, in which he tenders to the Governor of this State, his resignation as a member of such Live Stock Sanitary Commission, to be effective immediately, and we are informed that such resignation has been accepted by the Governor, and that a further presentation of any charges would be a useless waste of time.

Much of the testimony given to this Committee relates to violations of the State Penal Code, and we expect to turn this testimony over to the county authorities for the purpose of being presented to the different grand juries of the counties, and we here strongly urge that these matters be given proper presentation in such counties by the county officials.

Many other rumors and statements were offered us relative to selling jobs by other persons and other departments, but after inquiry we were not convinced that any State officer was involved, nor were we able to connect any such rumors with any State officer; and on account of the near approach of the end of this

Session, and the necessity of our making a final report, we will not be able to go further into these matters.

We would recommend that the inquiry into these rumors—on account of the serious charges made by many witnesses in our presence, should be continued and the true facts relative to such job selling in all of the, or any of the departments of the State should be fully gone into and to that end this Committee recommends to the House that such Appropriation Committee be continued on until January 1, 1934, to complete its labors, and that such Committee have the powers as set forth in the original resolution providing for this investigation, and further that the members of this Committee be paid their actual expenses incurred while on business for the State out of the Contingent Fund of the First Called Session of the Forty-third Legislature, as provided for in the original resolution.

We deprecate the fact that the impression has gone out over the State that appointments to public office may be purchased with money, and we call attention to the Penal Statutes relative to bribery and attempted bribery, Articles 158 and those that follow, of the Penal Code, which denounce and punish as a felony any bribe or offer to bribe any executive, legislative, or judicial officer with intent to influence his act, vote, opinion, decision, or judgment on any matter, question, cause, or proceeding then pending or that might come before such officer.

A sale, an offer to sell, or an agreement to sell or traffic in State jobs cannot be anything but subversive of good government and brings such government into disrepute and brings the honest officers of this State under undeserved suspicion and cannot be too greatly condemned. To the end that practices of job selling in this State should be immediately put at an end, we call upon the officers especially of Hill County, McLennan County, Dallas County, Smith County, Upshur County, Gregg County, Tarrant County, Angelina County, Leon County, and also all other counties in this State to diligently inquire into such matters and by proper and legal means endeavor to put a stop to such nefarious practices.

We have subpoenaed and/or there appeared before this Committee the

following witnesses, and they testified and received as mileage and per diem the amounts set opposite their names:

F. B. Shelton .....	\$ 18.08
Carl Hayden .....	18.64
W. E. Floyd .....	37.20
E. G. Holmes .....	18.64
C. C. Friddle .....	37.20
C. M. Cain .....	28.00
R. P. Knight .....	28.00
D. H. Williams .....	11.20
R. H. Burck .....	17.28
Royce Williams .....	35.20
Wm. McGlothlin .....	15.52
Price Phillips .....	22.62
M. F. Stokes .....	20.88
Jim W. Taylor .....	16.48
Lester L. Gibbs .....	15.52
Jas. G. Ulmer .....	25.12
Victor Krizan .....	12.16
Mary Krizan .....	12.16
T. H. Cook .....	10.80
T. L. Downs .....	25.20
C. C. Tripplett .....	17.36
C. F. Peck .....	8.80

Total .....\$452.06

Respectfully submitted,

BURNS,  
CHASTAIN,  
GRAVES,

Steering Committee;

HARMAN,

Chairman, Committee on Appropriations.

Mr. Greathouse moved that further consideration of the report be temporarily postponed.

Mr. Daniel moved to table the motion to postpone the report.

The motion to table prevailed.

Mr. Greathouse moved that the report be adopted, and that the testimony taken by the Committee be printed as a supplement to the House Journal.

The motion prevailed.

#### HOUSE BILL NO. 174 WITH SENATE AMENDMENTS

Mr. Merritt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 174, A bill to be entitled "An Act to amend Subdivision 23, of Article 7047, Chapter 1, Title 122, of the Revised Civil Statutes, State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, Regular Session, page 355, Chapter 212, Section 1, relating to an occupation tax on coin-operated vending machines, marble table machines, and similar devices, within the scope of the subdivision; providing such funds to be placed to the credit of the State Available School Funds, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Merritt, the House concurred in the Senate amendments by the following vote:

#### Yeas—108

Adamson.	Holland.
Aikin.	Hoskins.
Alexander.	Huddleston.
Alsup.	Hunter.
Baker.	Hyder.
Barrett.	Jackson.
Barron.	Jefferson.
Bourne.	Jones of Atascosa.
Burns.	Jones of Runnels.
Camp.	Jones of Shelby.
Canon.	Kyle of Hays.
Cathey.	Laird.
Caven.	Latham.
Celaya.	Lindsey.
Clayton.	Lotief.
Colson.	Mackay.
Coombes.	Magee.
Cowley.	McClain.
Crossley.	McCullough.
Daniel.	McDougald.
Davidson.	Merritt.
Dean.	Mitcham.
Dunlap.	Moffett.
Engelhard.	Morrison.
Fain.	Morse.
Fisher.	Munson.
Ford.	Nicholson.
Fuchs.	Palmer.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Puryear.
Greathouse.	Ramsey.
Griffith.	Ratliff.
Hankamer.	Reader.
Harris.	Reed of Bowie.
Harrison.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hill of Webb.	Roberts.
Hodges.	Rogers of Hunt.
Holekamp.	Rollins.

Ross.	Thomas.
Russell.	Tillery.
Savage.	Townsend.
Scarborough.	Turlington.
Scott.	Van Zandt.
Shannon.	Vaughan.
Shults.	Wagstaff.
Steward.	Walker.
Stinson.	Weinert.
Stovall.	Winningham.
Stubbeman.	Wood.
Tennyson.	Young.

## Nays—2

Hicks.	Long.
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## Absent

Beck.	Johnson
Bedford.	of Anderson.
Bradley.	Johnson of Dimmit.
Butler.	Kayton.
Calvert.	Kyle of Palo Pinto.
Chastain.	Lemens.
Devall.	Leonard.
Dunagan.	Mathis.
Duvall.	McGregor.
Dwyer.	McKee.
Few.	Metcalf.
Glass.	Moore.
Harman.	Pope.
Hester.	Ray.
Hill of Brazoria.	Smith.
Hughes.	Stanfield.
Hunt.	Sullivant.
James.	Tarwater.
	Wells.

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate  
to inform the House that the Senate  
has passed

H. B. No. 179, A bill to be entitled  
"An Act making appropriations to  
pay miscellaneous claims out of the  
General Fund; authorizing the pay-  
ment of certain sums out of the High-  
way Fund; authorizing payment of  
said miscellaneous claims on the tak-  
ing effect of this Act." (With amend-  
ments.)

H. B. No. 26, A bill to be entitled  
"An Act providing that all lands  
south of parallel of latitude 29° 25'  
North, lying and being situated in

Brewster and Presidio Counties, here-  
tofore or hereafter purchased by the  
State for delinquent taxes and which  
are not redeemed within the time pre-  
scribed by law shall become the prop-  
erty of the State of Texas for park  
purposes, and shall be under the con-  
trol of the Texas State Parks Board,  
and declaring an emergency." (With  
amendments.)

H. B. No. 40, A bill to be entitled  
"An Act releasing penalties and in-  
terest on ad valorem and poll taxes  
that were delinquent on or before July  
1, 1933, due the State and certain  
subdivisions of the State, provided  
same are voluntarily paid on or be-  
fore December 31, 1933, together with  
2 per cent penalty, or on or before  
March 31, 1934, together with 4 per  
cent penalty, or on or before June  
30, 1934, together with 6 per cent  
penalty; providing that Section 1  
hereof shall not apply to delinquent  
taxes due to cities, towns, villages,  
special school districts, or independ-  
ent school districts unless and until  
the governing body of such subdivi-  
sion shall adopt the provisions hereof  
by resolution or ordinance, and de-  
claring an emergency."

H. B. No. 55, A bill to be entitled  
"An Act amending Subsection 4 and  
Subsection 5, of Section 2 and Section  
9, Chapter 162, House Bill No. 154,  
Acts of the Forty-third Legislature,  
Regular Session, providing for  
monthly payment of tax levied, and  
prescribing the date upon which tax  
shall be paid, by whom it shall be  
paid; providing that if said tax is  
withheld by the purchaser and said  
purchaser fails to make payment of  
said tax to the State that the pro-  
ducer may have legal action against  
the purchaser by reason of such fail-  
ure, and providing for attorney's fee;  
etc., and declaring an emergency."

H. B. No. 67, A bill to be entitled  
"An Act amending Section or Sub-  
section 12, of Article 199, of the Re-  
vised Civil Statutes of 1925, as  
amended in 1931; and changing the  
times of holding the terms of the  
district courts in the Twelfth Ju-  
dicial District of Texas; and changing  
the length of terms of the district  
courts of certain of the counties in  
said judicial districts; and enacting  
necessary provisions with reference to  
processes, writs, bonds, recognizances,  
and with reference to grand petit  
jurors, and declaring an emergency."



H. B. No. 79, A bill to be entitled "An Act amending Chapter 101, of the Special Laws of the Regular Session of the Forty-third Legislature, prohibiting the taking, killing, or possession of wild fox for the purpose of barter or sale, and prohibiting the use of steel traps for taking fur-bearing animals in certain counties, and declaring an emergency." (With amendments.)

H. B. No. 90, A bill to be entitled "An Act to amend Subdivision 9, Article 2135, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 375, Chapter 221, Section 2, so as to provide that in cities and towns having a population of one thousand (1,000) or more inhabitants, according to the last preceding United States Census, the active members of organized fire companies; etc., and declaring an emergency."

H. B. No. 94, A bill to be entitled "An Act defining 'daily newspapers' or 'newspaper,' 'consecutive days' or 'successive days,' and words of similar meaning, within the meaning of any law, city charter, or ordinance, or any Act of the Legislature creating any independent school district or any other municipal corporation; etc., and declaring an emergency."

H. B. No. 105, A bill to be entitled "An Act appropriating \$25,000 out of any funds of the State of Texas, not otherwise appropriated, to be used to pay additional expense of publication of eight proposed amendments to the Constitution of Texas and for the subsequent holding of a general election at which said amendments are to be voted upon, said amount being herein appropriated to be used as payment of any difference in the amount of the costs of the publication of said amendments and holding of said election over and above the amounts of money already appropriated for said purpose, and declaring an emergency."

H. B. No. 121, A bill to be entitled "An Act appropriating the sum of \$1,200 for each of the two years beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred

cases under the provisions of Chapter 151, of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature, and declaring an emergency." (With amendments.)

H. B. No. 174, A bill to be entitled "An Act to amend Subdivision 23, of Article 7047, Chapter 1, Title 122, of the Revised Civil Statutes, State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, Regular Session, page 355, Chapter 212, Section 1, relating to an occupation tax on coin-operated vending machines, marble table machines, and similar devices, within the scope of the subdivision; providing such funds to be placed to the credit of the State Available School Funds, and declaring an emergency." (With amendment.)

H. B. No. 184, A bill to be entitled "An Act amending Chapter 12, of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

H. B. No. 186, A bill to be entitled "An Act to create a special and more efficient road system for Collin County, in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; etc., and declaring an emergency."

H. B. No. 194, A bill to be entitled "An Act making certain independent school districts to receive donations of cash and donations of land upon which to build, erect, and construct buildings in which its junior colleges may be maintained and operated, and wherein an additional two years of college work may be taught so as to constitute a university; authorizing the board of education or board of trustees of such school district to borrow money from the Federal Emergency Administration of Public Works under the provisions of the National Industrial Recovery Act, or from any other source, for the purpose of building, erecting, and constructing on such lands buildings for such purposes and the purchasing of necessary equipment and appliances, and the installation thereof in such buildings, and to mortgage and encumber

such lands, buildings, equipment, and appliances, and the income, rents, tolls, fees, and other charges to be derived from the operation thereof, and to evidence the obligation therefor, by the issuance of bonds; etc., and declaring an emergency."

H. B. No. 200, A bill to be entitled "An Act amending Articles 2525, 2528, and 2533, Chapter —, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State depositories and reserve depositories on State funds; etc., and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### CONFERENCE COMMITTEE ON HOUSE BILL NO. 179

The Speaker announced the appointment of the following conference committee on House Bill No. 179: Messrs. Engelhard, Beck, Russell, Thomas, and Tarwater.

#### HOUSE BILL NO. 194 WITH SENATE AMENDMENTS

Mr. Latham called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 194, A bill to be entitled "An Act making certain independent school districts to receive donations of cash and donations of land upon which to build, erect, and construct buildings in which its junior colleges may be maintained and operated, and wherein an additional two years of college work may be taught so as to constitute a university; authorizing the board of education or board of trustees of such school districts to borrow money from the Federal Emergency Administration of Public Works under the provisions of the National Industrial Recovery Act, or from any other source, for the purpose of building, erecting, and constructing on such lands buildings for such purposes and the purchasing of necessary equipment and appliances, and the installation thereof in such buildings, and to mortgage and encumber such lands, buildings, equipment, and appliances, and the income, rents, tolls,

fees, and other charges to be derived from the operation thereof, and to evidence the obligation therefor, by the issuance of bonds; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Latham the House concurred in the Senate amendments by the following vote:

Yeas—112

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Latham.
Baker.	Lemens.
Barrett.	Leonard.
Barron.	Long.
Bourne.	Lotief.
Burns.	Mackay.
Camp.	Magee.
Canon.	Mathis.
Cathey.	McClain.
Chastain.	McCullough.
Clayton.	Merritt.
Colson.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Crossley.	Morrison.
Daniel.	Morse.
Davidson.	Munson.
Dean.	Nicholson.
Duvall.	Palmer.
Fain.	Parkhouse.
Few.	Patterson.
Fisher.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Reed of Bowie.
Graves.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Riddle.
Harris.	Roberts.
Harrison.	Rogers of Hunt.
Hartzog.	Rollins.
Head.	Ross.
Hicks.	Russell.
Hill of Brazoria.	Savage.
Hill of Webb.	Scarborough.
Hodges.	Scott.
Holekamp.	Shannon.
Holland.	Shults.
Hoskins.	Stanfield.
Huddleston.	Steward.
Hunter.	Stovall.
Hyder.	Stubbeman.
Jackson.	Tarwater.
Jefferson.	Tennyson.
Jones of Atascosa.	Townsend.
Jones of Runnels.	Turlington.
Jones of Shelby.	Van Zandt.
Kayton.	Vaughan.

Wagstaff.  
Walker.  
Weinert.

Wells.  
Wood.  
Young.

Nays—1

Lindsey.

Present—Not Voting

Tillery.

Absent

Beck.  
Bedford.  
Bradley.  
Butler.  
Calvert.  
Caven.  
Celaya.  
Devall.  
Dunlap.  
Dunagan.  
Dwyer.  
Engelhard.  
Ford.  
Hankamer.  
Harman.  
Hester.  
Hughes.

Hunt.  
James.  
Johnson  
of Anderson.  
Johnson  
of Dimmit.  
McDougald.  
McGregor.  
McKee.  
Metcalf.  
Ray.  
Reader.  
Smith.  
Stinson.  
Sullivant.  
Thomas.  
Winningham.

Absent—Excused

Anderson.  
Holloway.

Rogers  
of Ochiltree.

#### TO SUSPEND CERTAIN JOINT RULE

Mr. Metcalfe offered the following resolution:

H. C. R. No. 61, To suspend certain Joint Rule.

Whereas, Senate Bill No. 65 is before the House for second reading; now, therefore, be it

Resolved by the House of Representatives, Senate concurring, That Rule XI of the Joint Rules of the House and Senate be, and it is hereby, suspended until the final disposition of Senate Bill No. 65.

GOLSON,  
CALVERT.

The resolution was read second time, and was adopted.

#### HOUSE BILL NO. 84 WITH SEN- ATE AMENDMENTS

Mr. Hankamer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 84, A bill to be entitled "An Act empowering counties through their commissioners court to borrow

money or receive grants of money from the Federal Emergency Administrator of Public Works or other Federal agency under the terms and provisions of the Act of the Congress of the United States commonly known as the National Industrial Recovery Act; providing that said money may be borrowed only for purposes for which counties may create a valid indebtedness and levy a tax to pay for said indebtedness; providing means for the securing by said counties of the repayment of such money borrowed; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Clayton, the House concurred in the Senate amendments by the following vote:

Yeas—100

Adamson.  
Aikin.  
Alsup.  
Barrett.  
Barron.  
Bourne.  
Burns.  
Camp.  
Cathey.  
Caven.  
Chastain.  
Clayton.  
Colson.  
Coombes.  
Cowley.  
Crossley.  
Daniel.  
Dean.  
Duvall.  
Engelhard.  
Fain.  
Few.  
Fisher.  
Ford.  
Fuchs.  
Glass.  
Golson.  
Good.  
Goodman.  
Graves.  
Greathouse.  
Griffith.  
Hankamer.  
Harris.  
Hartzog.  
Head.  
Hill of Webb.  
Hodges.  
Holekamp.  
Hoskins.  
Huddleston.  
Hunter.

Jackson.  
Jefferson.  
Jones of Atascosa.  
Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Hays.  
Kyle of Palo Pinto.  
Latham.  
Lemens.  
Lindsey.  
Long.  
Lotief.  
Mackay.  
Magee.  
Mathis.  
McClain.  
Mitcham.  
Morrison.  
Munson.  
Nicholson.  
Palmer.  
Parkhouse.  
Pavlica.  
Pope.  
Purveyar.  
Ramsey.  
Ratliff.  
Reader.  
Reed of Bowie.  
Reed of Dallas.  
Renfro.  
Roberts.  
Rogers of Hunt.  
Rollins.  
Ross.  
Russell.  
Scarborough.  
Shannon.  
Shults.  
Stanfield.  
Steward.

Stinson.	Van Zandt.
Stovall.	Vaughan.
Stubbeman.	Wagstaff.
Tennyson.	Walker.
Thomas.	Weinert.
Tillery.	Wells.
Townsend.	Wood.
Turlington.	Young.

**Absent**

Alexander.	Johnson
Baker.	of Anderson.
Beck.	Johnson
Bedford.	of Dimmit.
Bradley.	Laird.
Butler.	Leonard.
Calvert.	McCullough.
Canon.	McDougald.
Celaya.	McGregor.
Davidson.	McKee.
Devall.	Merritt.
Dunlap.	Metcalfe.
Dunagan.	Moffett.
Dwyer.	Moore.
Harman.	Morse.
Harrison.	Patterson.
Hester.	Ray.
Hicks.	Riddle.
Hill of Brazoria.	Savage.
Holland.	Scott.
Hughes.	Smith.
Hunt.	Sullivant.
Hyder.	Tarwater.
James.	Winningham.

**Absent—Excused**

Anderson.	Rogers
Holloway.	of Ochiltree.

**TO SUSPEND CERTAIN JOINT RULE**

Mr. Greathouse offered the following resolution:

H. C. R. No. 68, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended, so as to allow the Senate to take up and consider, until finally passed, House Bill No. 149.

The resolution was read second time, and was adopted.

**TO SUSPEND CERTAIN JOINT RULE**

Mr. Hartzog offered the following resolution:

H. C. R. No. 67, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring,

That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended, so as to allow the House to take up and consider, until finally passed, Senate Bill No. 54, by Redditt.

The resolution was read second time, and was adopted.

**RESOLUTIONS SIGNED BY THE SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled resolutions:

H. C. R. No. 7, Relating to violation of the Anti-Nepotism Law.

H. C. R. No. 15, Granting J. F. Hollis permission to sue the State.

H. C. R. No. 29, Granting Martin Brothers permission to sue the State.

**RECESS**

Mr. Fisher moved that the House recess to 1:30 o'clock p. m., today.

Mr. Vaughan moved that the House recess to 2 o'clock p. m., today.

The motion of Mr. Vaughan prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m., today.

**AFTERNOON SESSION**

The House met at 2 o'clock p. m., and was called to order by the Speaker.

**TO SUSPEND CERTAIN JOINT RULE**

Mr. Graves offered the following resolution:

H. C. R. No. 72, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended, so as to allow the House to take up for consideration, until finally passed, Senate Bill No. 75.

The resolution was read second time, and was adopted.

**HOUSE BILL NO. 199 WITH SENATE AMENDMENTS**

Mr. Wagstaff called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 199, A bill to be entitled "An Act to amend Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-third Legislature, Chapter 100, so as to permit the use of natural gas for repressuring, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Wagstaff moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Wagstaff, Stanfield, Lindsey, Jones of Runnels, and Ratliff.

#### TO SUSPEND CERTAIN JOINT RULE

Mr. Bradley offered the following resolution:

H. C. R. No. 71, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended, so as to allow the Senate to take up and consider, until finally passed, House Bill No. 120.

The resolution was read second time, and was adopted.

(Mr. Jones of Atascosa in the Chair.)

#### HOUSE BILL NO. 112 WITH SENATE AMENDMENTS

Mr. Sullivant called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 112, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Sullivant moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differ-

ences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Sullivant, Alexander, Harris, Wood, and Rollins.

#### RELATIVE TO GOREE STATE FARM

Mr. Burns offered the following resolution:

H. C. R. No. 36, Relative to Goree Prison Farm.

Whereas, The Appropriation Bill for the different departments of the State Government, passed by the Regular Session of the Forty-third Legislature, being House Bill No. 167, containing a provision at the end of said Appropriation Bill which prohibits a man and his wife from working in the same department of the State of Texas; and

Whereas, It has long been the custom on the Goree State Prison Farm, where the women State convicts are confined, to employ the wife of the manager of said Goree Farm as matron; and

Whereas, This being an exception to the rule in other departments, and it being economy for the State of Texas to employ the wife of the manager of the Goree State Prison Farm as matron; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That said provision be amended with reference to the matron of the Goree State Prison Farm to hereafter read as follows:

"It is hereby provided that the Comptroller and State Treasurer shall issue warrants as provided for in said appropriation for the Texas Prison System as specified for the matron of the Goree Farm, who is the wife of the manager of said farm."

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—81

Adamson.	Barrett.
Aikin.	Barron.
Alexander.	Bourne.
Alsup.	Bradley.

Burns.	Magee.
Canon.	Mathis.
Caven.	McClain.
Chastain.	McDougald.
Clayton.	McGregor.
Daniel.	Merritt.
Dunlap.	Mitcham.
Duvall.	Moffett.
Dwyer.	Moore.
Few.	Morrison.
Fisher.	Munson.
Ford.	Palmer.
Fuchs.	Patterson.
Glass.	Pope.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Reader.
Greathouse.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Roberts.
Harris.	Rogers of Hunt.
Hartzog.	Rollins.
Hodges.	Ross.
Holekamp.	Scarborough.
Hughes.	Shannon.
Hyder.	Shults.
Jackson.	Smith.
James.	Steward.
Jones of Runnels.	Stinson.
Kyle of Palo Pinto.	Stovall.
Laird.	Stubbeman.
Latham.	Van Zandt.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lindsey.	Walker.
Long.	Weinert.
Lotief.	

## Nays—20

Baker.	Nicholson.
Calvert.	Parkhouse.
Cathey.	Pavlica.
Coombes.	Puryear.
Dean.	Reed of Bowie.
Devall.	Riddle.
Fain.	Scott.
Hicks.	Tillery.
Huddleston.	Wells.
Kyle of Hays.	Winningham.

## Absent

Beck.	Hill of Brazoria.
Bedford.	Hill of Webb.
Butler.	Holland.
Camp.	Hoskins.
Celaya.	Hunt.
Colson.	Hunter.
Cowley.	Jefferson.
Crossley.	Johnson
Davidson.	of Anderson.
Dunagan.	Johnson
Engelhard.	of Dimmit.
Graves.	Jones of Atascosa.
Griffith.	Jones of Shelby.
Harrison.	Kayton.
Head.	Mackay.
Hester.	McCullough.

McKee.	Tarwater.
Metcalfe.	Tennyson.
Morse.	Thomas.
Ray.	Townsend.
Russell.	Turlington.
Savage.	Wood.
Stanfield.	Young.
Sullivant.	

## Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

### RELATIVE TO STATE DEPARTMENT OF VOCATIONAL EDUCATION

Mr. Renfro offered the following resolution:

Whereas, By Chapter 166, Acts of the Regular Session of the Forty-third Legislature, the Legislature appropriated the sum of one thousand dollars (\$1,000) for each of the fiscal years ending August 31, 1934, and August 31, 1935, for "two half-time district supervisors, none exceeding five hundred dollars (\$500) per year," for the State Department of Vocational Education; and

Whereas, It is impracticable for district supervision to be carried on by a person employed for half-time work; and

Whereas, It was the intention of the Legislature in making the appropriation that a supervisor should be employed to work one-half year in one district and one-half year in another district, rather than to require the employment of two persons working only one-half day; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the money, heretofore appropriated by the Regular Session of the Forty-third Legislature, for the use of the State Department of Vocational Education in the employment of two half-time district supervisors, be used for the employment of one full-time district supervisor, said supervisor to work one-half year in one district, and one-half year in another district, and that the State Department of Vocational Education is hereby authorized to draw salary claims in accordance herewith, and the Comptroller of Public Accounts is hereby authorized to issue warrants in payment of such claims against the appropriation made for two half-time district supervisors for the State Department of Vocational Education.

The resolution was read second time, and was adopted.

#### CONFERENCE COMMITTEE ON HOUSE BILL NO. 199

The Speaker announced the appointment of the following conference committee on House Bill No. 199: Messrs. Wagstaff, Stanfield, Lindsey, Jones of Runnels, and Ratliff.

#### HOUSE BILL NO. 23 WITH SEN- ATE AMENDMENTS

Mr. Reader called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 23, A bill to be entitled "An Act for the continuation, for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making appropriation, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Reader, the House concurred in the Senate amendments.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 12, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 161, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the balance of the fiscal year ending August 31, 1934, to be used by the Texas State Parks Board, and declaring an emergency." (With amendments.)

H. B. No. 23, A bill to be entitled "An Act for the continuation, for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making appropriation, and declaring an emergency." (With amendments.)

H. B. No. 84, A bill to be entitled "An Act empowering counties through their commissioners court to borrow money or receive grants of money from the Federal Emergency Administrator of Public Works or other Federal agency under the terms and

provisions of the Act; and declaring an emergency." (With amendments.)

H. B. No. 129, A bill to be entitled "An Act to amend Article 8244, of the Revised Civil Statutes of 1925, governing the selection of depositories by all navigation districts whether created pursuant to Section 52, Article III, of the Constitution, or Section 59, Article XVI, of the Constitution; defining the powers of navigation and canal commissioners in the selection of such depositories; defining the powers and obligations of such depositories, and declaring an emergency."

H. B. No. 112, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency." (With amendments.)

H. B. No. 123, A bill to be entitled "An Act creating a closed season upon wild turkey for a period of five (5) years in the Counties of Liberty and Hardin, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild turkey within said counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

H. B. No. 185, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than twenty-two thousand five hundred (22,500) and not more than twenty-two thousand nine hundred; etc."

H. B. No. 195, A bill to be entitled "An Act making an appropriation to pay for fuel, light, and water for the Court of Civil Appeals, First Supreme Judicial District, at Galveston, Texas, and the Court of Civil Appeals, Sixth Supreme Judicial District, at Texarkana, Texas, for the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency."

H. B. No. 196, A bill to be entitled "An Act granting authority to the State Highway Department to acquire by purchase, and/or to construct, maintain, operate, and control ferries

over and across any bay, arm, channel, or salt-water lake emptying into the Gulf of Mexico, or any inlet of the Gulf of Mexico, any river, or other navigable waters of this State, where such ferries connect designated State highways, and which may be made self-liquidating or partially self-liquidating; providing for interstate ferries to be acquired by purchase, and to be maintained, operated, and controlled by the State of Texas, and declaring an emergency."

H. B. No. 205, A bill to be entitled "An Act to amend Subdivision 66, of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the terms of District Court in Hill County, constituting the Sixty-sixth Judicial District of Texas, and declaring an emergency."

H. B. No. 212, A bill to be entitled "An Act to amend Article 1109-a, of the Revised Civil Statutes of 1925, of the State of Texas, passed by the Thirty-ninth Legislature, Acts of 1925, and known as House Bill No. 477, said Act being an Act entitled 'An Act to empower cities having more than one hundred and sixty thousand (160,000) inhabitants to purchase or otherwise acquire water systems, and additions, extensions, and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems; to issue bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same, and the incomes thereof, and everything pertaining thereto, or any part thereof, and declaring an emergency.'"

H. B. No. 199, A bill to be entitled "An Act to amend Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-third Legislature, Chapter 100, so as to permit the use of natural gas for repressuring, and declaring an emergency." (With amendments.)

H. B. No. 88, A bill to be entitled "An Act to amend House Bill No. 555, Chapter 216, Acts of the Regular Session of the Forty-third Legislature, relating to salaries of county commissioners, and providing from what funds said salaries shall be paid, and making certain exceptions; providing the effective date of this Act shall be January 1, 1934; repealing all laws, both general or special, and parts of laws, both general or spe-

cial, in conflict herewith, and making certain exceptions; and defining term 'assessed valuation'; and declaring an emergency." (With amendments.)

H. B. No. 141, A bill to be entitled "An Act making it lawful to kill squirrels in Coleman County at any time; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 178, A bill to be entitled "An Act providing for the pledging of local school funds from district taxes and other local sources to be used to pay the interest and sinking fund on a loan or loans from the Federal Government for certain purposes; authorizing the pledging of annual tax receipts by the board of trustees, with the consent and approval of the county superintendent and the county board of school trustees; authorizing the making of contracts with lenders upon certain terms; providing for a sinking fund; etc."

H. B. No. 203, A bill to be entitled "An Act to amend Arts, 1931, Forty-second Legislature, First Called Session, page 5, Chapter 3, relating to fishing in Gillespie and other counties, so as to change the tackle that may be lawfully used; the period for the open season; the legal length of certain fish; the number of fish which may be caught in Kendall County; prescribing a penalty, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### HOUSE BILL NO. 161 WITH SENATE AMENDMENTS

Mr. Harman called up, from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 161, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the balance of the fiscal year ending August 31, 1934, to be used by the Texas State Parks Board, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Harman moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.



# CONFERENCE COMMITTEE ON HOUSE BILL NO. 161

The Speaker announced the appointment of the following conference committee on House Bill No. 161: Messrs. Harman, Townsend, Laird, Palmer, and Hoskins.

## CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 57

Mr. McDougald submitted the following conference committee report on Senate Bill No. 57:

Committee Room,  
Austin, Texas, October 12, 1933.

Hon. Edgar Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and Senate on Senate Bill No. 57, beg leave to submit the following report:

We have had Senate Bill No. 57 under consideration and recommend the adoption of the attached bill, as re-written by your conference committee:

"S. B. No. 57

### A BILL

#### To Be Entitled

An Act authorizing navigation districts to acquire, purchase, construct, enlarge, extend, repair, maintain, operate, or develop certain improvements and facilities without taxation; to secure funds for such purpose by the issuance of obligations of the district payable solely from the revenue to be derived from the improvements and facilities of such districts; to fix and collect fees and charges for the use of such improvements and facilities; to pledge to the payment of such obligations the income and revenues of such improvements and facilities, and to encumber and mortgage such improvements and facilities as additional security for the payment of such obligations; providing remedies in case of default; to grant to the purchaser of such improvements and facilities at foreclosure sale a franchise, and permit to operate such improvements and facilities; to enter into contracts, leases, and agreements in connection

with the powers granted hereby; to refund any obligations issued hereunder; making obligations issued pursuant hereto exempt from taxation; authorizing the conversion of districts organized under Section 52, Article III, of the Constitution; prescribing all necessary details; providing that nothing contained herein shall be construed to amend, repeal, or affect the laws relating to pilots and pilotage, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Any navigation district, heretofore organized or hereafter to be organized under any of the provisions of the Constitution or laws of the State of Texas, in addition to all other powers conferred by law, is hereby given authority, and shall hereafter have power, in the manner hereinafter provided to acquire, purchase, construct, enlarge, extend, repair, maintain, operate, or develop wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, and facilities, lightering facilities, and towing facilities, and everything appurtenant thereto, together with all other facilities or aids incident to or useful in the operation or development of the district's ports and waterways or in aid of navigation and commerce thereon.

Sec. 2. The Board of Navigation and Canal Commissioners of any district taking advantage of the provisions of this Act shall prescribe fees and charges to be collected for the use of the improvements and facilities of such district and for the use of any improvements or facilities acquired under the provisions of this Act, which fees and charges shall be reasonable, and equitable, and fully sufficient to produce revenues adequate to pay, and said Board of Navigation and Canal Commissioners shall cause to be paid:

"(a) All expenses necessary to the operation and maintenance of said improvements and facilities. Such operating and maintenance expenses payable from current revenues shall include the cost of the acquisitions of properties and materials necessary to maintain said improvements and facilities in good condition and operate them efficiently, wages and sal-

aries paid to the employes of the district in that connection, and such other expenses as may be necessary to the efficient operation of said improvements and facilities.

"(b) The annual or semi-annual interest upon any obligations issued hereunder and payable out of the revenues of said improvements and facilities.

"(c) The amount required to be paid annually into the sinking fund for the payment of any obligations issued hereunder and payable out of the revenues of said improvements and facilities."

No other charge shall be made upon the revenues derived from said improvements and facilities so long as any obligations issued hereunder shall remain outstanding and unpaid as to principal or interest; provided, however, that out of revenues which may be received in excess of those required for the purposes listed in the above subparagraphs (a), (b), and (c), the Board of Navigation and Canal Commissioners may pay the cost of improvements and replacements not covered by said paragraph (a), and may establish a depreciation fund.

Sec. 3. The Board of Navigation and Canal Commissioners of any such navigation district may borrow money from the Federal Emergency Administration of Public Works of the United States, or from any other department or agency of the United States, or from any other source, and in evidence thereof issue the notes, warrants, certificates of indebtedness, or other forms of obligation of such district payable solely out of the revenues to be derived from said improvements and facilities, for the purpose of obtaining funds to acquire, purchase, construct, enlarge, extend, repair, maintain, operate, or develop wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants and facilities, lightering facilities, towing facilities, and everything appurtenant thereto, together with all other facilities or aids incident to, or useful in, the operation or development of the district's ports and waterways or in aid of navigation and commerce therein.

Sec. 4. Each issue of obligations authorized hereunder shall constitute a separate series and shall be ap-

propriately designated. Such obligations shall not constitute an indebtedness or pledge of the credit of such district, shall never be paid in whole or in part out of any funds raised or to be raised by taxation, and shall contain a recital to that effect. All obligations issued hereunder shall be in registered or coupon form, and if coupon form, may be registerable as to principal only, or as to both principal and interest, shall bear interest at a rate not to exceed 6 per cent per annum, payable annually or semi-annually, and shall be in such denominations, and shall mature serially or at one time not more than forty years from their date, in such manner as may be provided by the Board of Navigation and Canal Commissioners. Principal of, and interest on, such obligations shall be made payable at any place or places within or without the State of Texas, and in the discretion of the Board of Navigation and Canal Commissioners such obligations may be made redeemable at the option of said Board prior to maturity at such premium or premiums as the Board shall determine. Such obligations shall be signed by the Chairman and secretary of the Board of Navigation and Canal Commissioners, and the interest coupons attached thereto may be executed with the facsimile signature of such officers. Such obligations shall be sold in such manner and at such time as the Board of Navigation and Canal Commissioners shall determine to be expedient and necessary to the interests of the district; provided, that in no event shall such obligations be sold for a price which will result in an interest yield therefrom of more than 6 per cent computed to maturity, according to standard bond tables in general use by banks and insurance companies. In the event any of the officers whose signatures are on such obligations or coupons shall cease to be such officers before the delivery of such obligations to the purchaser, such signature or signatures, nevertheless, shall be valid and sufficient for all purposes. All obligations issued hereunder shall constitute negotiable instruments within the meaning of the Negotiable Instruments Law.

Sec. 5. Any obligations issued hereunder may be issued payable from and secured by the pledge of all the revenues derived from the operation of the

improvements and facilities of the district, exclusive of any revenues derived from taxation or assessments, or may be payable from and secured by the pledge of only such revenues as may be derived from the operation of the improvements and facilities acquired with the proceeds of the sale of such obligations, or may be payable from and secured by the pledge of a specified part of the revenues derived from the operation of the improvements and facilities of the district, all as may be provided in the proceedings authorizing the issuance of such obligations. If more than one series of obligations shall be issued under the provisions of this Act payable from and secured by identical revenues, priority of lien against such revenues shall depend on the time of delivery of such obligations, each series enjoying a lien against such revenues prior and superior to that enjoyed by any other series of obligations subsequently delivered, provided, however, that as to any issue or series of obligations which may be authorized as a unit but delivered from time to time in blocks, the Board of Navigation and Canal Commissioners may, in the proceedings authorizing the issuance of such obligations, provide that all of the obligations of such series or issue shall be co-equal as to lien regardless of the time of delivery.

Sec. 6. Any resolution or order authorizing the issuance of obligations under the provisions hereof shall provide for the creation of a sinking fund into which shall be paid from the revenues pledged to the payment of such obligations from month to month as said revenues are collected, sums fully sufficient to pay principal of and interest on such obligations. The money in such sinking fund shall be applied solely to the payment of interest on the obligations for the payment of which such fund is created and for the retirement of said obligations at or prior to maturity in the manner herein provided. The Board of Navigation and Canal Commissioners may, at the time obligations are authorized hereunder, provide that all money in such sinking fund in excess of the amount required for the payment of interest on and principal of such outstanding obligations for such period as it may determine shall be expended once each year and pursuant to its orders in the purchase of obligations for the account of which such

sinking fund has been accumulated, if any of such obligations can be purchased at a price which shall seem reasonable to the Board, and may provide that in the event such obligations contain an option permitting retirement prior to maturity, then such excess sums shall be paid out as aforesaid for the purchase of such obligations, but that if the Board shall be unable to so purchase sufficient obligations of said issue to absorb all such surplus, it shall call, for redemption, a sufficient amount of such obligations to absorb so far as practicable the entire surplus remaining in said sinking fund. It may be provided that any excess in the sinking fund which cannot be applied to the purchase or redemption of obligations shall remain in said sinking fund to be used for payment of principal or interest when due, or for the subsequent call of obligations for purchase or redemption in the manner above-provided.

Sec. 7. Any resolution or order authorizing the issuance of obligations hereunder may contain such covenants with the holders of the obligations as to the management and operation of said improvements and facilities, collection of fees and charges for the use thereof, disposition of such fees and charges, issuance of future obligations, and creation of future liens and encumbrances against said improvements and facilities and the revenues thereof and other pertinent matters, as may be deemed necessary to insure the marketability of said obligations, provided such covenants are not inconsistent with the provisions of this Act.

Sec. 8. Any resolution or order authorizing the issuance of obligations hereunder shall provide that the revenues from which such obligations are to be paid, and which are pledged to the payment of such obligations, shall, from month to month as the same shall accrue and be received, be set apart and placed in the sinking fund and disbursed in the manner hereinabove provided. In fixing and determining the amount of revenues which shall be so set aside, the Board of Navigation and Canal Commissioners shall provide that the amount to be set aside and paid into said fund in any year or years shall be not less than a fixed sum, which sum shall be at least sufficient to provide for the payment of the interest on,

and principal of, all obligations maturing and becoming payable in each such year, together with a surplus or margin of 10 per cent in excess thereof.

Sec. 9. Any holder of obligations issued hereunder or of coupons originally attached thereto, may either at law or in equity, by suit, action, mandamus, or other proceeding, enforce and compel performance of all duties required by this Act to be performed by the Board of Navigation and Canal Commissioners, including the making and collection of reasonable and sufficient fees or charges for the use of the improvements and facilities of the district, the segregation of the income and revenues of such improvements and facilities, and the application of such income and revenues pursuant to the provisions of this Act.

Sec. 10. As additional security for the payment of any obligations issued hereunder, the Board of Navigation and Canal Commissioners may in its discretion have executed in favor of the holders of such obligations an indenture, mortgaging and encumbering the improvements, facilities and properties acquired with the proceeds of the sale of such obligations, and may provide in such encumbrance for a grant to any purchaser or purchasers at foreclosure sale thereunder of a franchise to operate such improvements, facilities and properties for a term of not over fifty years from the date of such purchase, subject to all laws regulating same then in force. Any such indenture may contain such terms and provisions as the Board of Navigation and Canal Commissioners shall deem proper and shall be enforceable in the manner provided by the laws of Texas for the enforcement of other mortgages and encumbrances. Under any sale ordered pursuant to the provisions of such mortgage or encumbrance, the purchaser or purchasers at such sale, and his or their successors or assigns, shall be and hereby are vested with the permit and franchise to maintain and operate the improvements, facilities and properties purchased at such sale with like powers and privileges as may heretofore have been enjoyed by the district in the operation of said improvements, facilities and properties.

The purchaser or purchasers of such improvements, facilities and properties at any such sale, and his or their successors and assigns, may operate said improvements, facilities and properties as provided in the last above sentence or may at their option remove all or part of said improvements, facilities and properties for diversion to other purposes. Any statutes of the State of Texas pertaining to the granting of franchises shall not be applicable to the authorization or execution of any mortgage or encumbrance entered into pursuant to the provisions of this Act, nor to the granting of any franchise hereunder.

Sec. 11. The proceeds of the sale of any obligations issued hereunder may be deposited in such bank or banks as may be agreed upon between the purchaser at such sale and the Board of Navigation and Canal Commissioners, and may be deposited and paid out pursuant to such terms and conditions as may be so agreed upon, it being expressly provided that the statutes of Texas pertaining to the deposit of navigation district funds in the depository of such district shall not be applicable to the deposit of the proceeds of such sale. Any part of the proceeds of the sale of obligations issued hereunder which may remain unexpended after the project for which the obligations were authorized has been completed may be paid into the sinking fund for the payment of said obligations and be used only for the payment of principal of such obligations, or for the purpose of acquiring such outstanding obligations by purchase in the manner hereinabove provided.

Sec. 12. The Board of Navigation and Canal Commissioners is authorized to enter into an agreement or agreements with the purchaser or purchasers of any obligations issued hereunder under the terms of which such Board shall agree to keep all of the improvements and facilities, the revenues of which are pledged to the payment of such obligations, insured with insurers of good standing against loss or damage by fire, water or flood, and also from any other hazards customarily insured against by private companies operating similar properties, and to carry with insurers of good standing such

insurance covering the use and occupancy of such property as is customarily carried by such private companies. The cost of such insurance shall be budgeted as maintenance and operation expenses and such insurance shall be carried for the benefit of the holders of such obligations.

Sec. 13. Any navigation district taking advantage of the terms of this Act, in addition to the other powers hereinabove set out, shall have general power and authority to make and enter into all contracts, leases and agreements necessary or convenient to the carrying out of any of the powers granted in this Act, which contracts, leases or agreements may be entered into with any person, real or artificial, any corporation, municipal, public or private, and any governmental agency, including those of the United States and the State of Texas. Any and all contracts, leases or agreements entered into pursuant hereto shall be approved by Resolution of the Board of Navigation and Canal Commissioners of such district, and shall be executed by the Chairman and attested by the Secretary thereof.

Sec. 14. Any obligation issued pursuant to the provisions of this Act shall be exempt from taxation by the State of Texas or by any municipal corporation, county, or other political subdivision or taxing district of the State.

Sec. 15. Any navigation district issuing obligations under the provisions hereof may thereafter authorize and issue its refunding obligations on such terms as its Board of Navigation and Canal Commissioners may deem advisable for the purpose of providing for the retirement of any such outstanding obligations, either due or to become due, which refunding obligations may be either exchanged for like par amounts of such outstanding obligations or may be sold and the proceeds of the sale so applied. Any refunding obligations authorized and issued pursuant hereto shall be subject to the provisions of this Act pertaining to the issuance of other obligations and shall be secured in all respects to the same extent and be payable from the same revenue as were the obligations refunded thereby.

Sec. 16. If the Board of Navigation and Canal Commissioners of any district heretofore organized under

the provisions of Section 52 of Article 3 of the Constitution which has not become converted into a navigation district operating under the provisions of Section 59, Article 16, of the Constitution, shall find it expedient in order to avail said district of the provisions of this Act to convert such district into a navigation district operating under the provisions of Section 59, Article 16, such conversion may be accomplished in the same manner and with like effect as provided by Section 1 of Chapter 103 of the General Acts of the First Called Session of the Forty-first Texas Legislature, 1929, as now existing or hereafter amended, except that all proceedings and hearing had in connection with such conversion shall be adopted and conducted by the Board of Navigation and Canal Commissioners of said district instead of by the Navigation Board of said district.

Sec. 17. This Act shall be construed as cumulative authority for the accomplishment of the purposes herein mentioned and is not to be construed to repeal any existing laws on the same subject matter, it being the purpose and intent hereof to create an additional and alternate method for the accomplishment of such purposes. This Act, without reference to other statutes of the State of Texas, shall constitute full authority for the authorization and issuance of obligations hereunder and for the accomplishment of all things herein authorized to be done, and no proceedings relating to the authorization or issuance of such obligations or the doing of such things shall be necessary except such as are herein required, and neither the Bond and Warrant Law of 1931 or any other provisions of the laws of the State of Texas pertinent to the authorization or issuance of obligations, the operation and maintenance of ports, canals and waterways, the granting of franchises or permits, the right to elections or referendum petitions, or in anywise impeding or restricting the carrying out of the acts authorized to be done hereunder or acts done pursuant hereto. This Act being necessary for and intended to secure the safety, convenience, and welfare of the citizens of navigation districts in the State of Texas, shall be liberally construed to effectuate the purposes hereof.

Sec. 18. No navigation district shall, in the operation, maintenance

or repair of any improvements or facilities acquired, purchased or constructed under the provisions of this Act, incur any indebtedness or assume any liability or obligation payable out of taxes; and any and all liabilities and obligations so arising shall be payable solely out of the revenues from such improvements and facilities which may be applicable thereto as herein authorized.

Sec. 19. It is expressly hereby provided that nothing in this Act contained shall be construed to amend, repeal or affect the laws relating to pilots and pilotage, their appointment and remuneration.

Sec. 20. If any paragraph, clause or provision of this Act shall be held unconstitutional the remainder hereof shall remain in full force and effect.

Sec. 21. The fact that there is now no general law available for the accomplishment of the purposes of this Act, and that there is now available no law satisfactorily permitting navigation districts of the State of Texas to avail themselves of the provisions of the Public Works Section of the National Industrial Recovery Act, create an emergency and an imperative public necessity demanding that the constitutional rule, requiring bills to be read on three several days, be suspended, and that this Act shall take effect and be in force from and after the passage thereof, and said rule is so suspended, and it is so enacted.

Respectfully submitted,

COUSINS,  
HOLBROOK,  
WOODWARD,  
SANDERFORD,  
HOPKINS,

On the part of the Senate;

BEDFORD,  
McDOUGALD,  
McKEE,  
CELAYA,

On the part of the House.

On motion of Mr. McDougald, the House adopted the conference committee report by the following vote:

Yeas—106

Adamson.	Barrett.
Alexander.	Barron.
Alsup.	Bedford.
Baker.	Bourne.

Bradley.	Latham.
Burns.	Lemens.
Calvert.	Leonard.
Camp.	Lindsey.
Canon.	Long.
Cathey.	Lotief.
Chastain.	Magee.
Clayton.	Mathis.
Colson.	McDougald.
Cowley.	McGregor.
Daniel.	Merritt.
Davidson.	Mitcham.
Dean.	Moffett.
Devall.	Morrison.
Dunagan.	Munson.
Duvall.	Palmer.
Dwyer.	Parkhouse.
Fain.	Puryear.
Few.	Ratliff.
Ford.	Reed of Bowie.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Ross.
Griffith.	Savage.
Hankamer.	Scarborough.
Harman.	Scott.
Harris.	Shannon.
Harrison.	Smith.
Hartzog.	Stanfield.
Head.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hill of Webb.	Stubbeman.
Holekamp.	Sullivant.
Hoskins.	Tennyson.
Huddleston.	Tillery.
Hughes.	Townsend.
Hunter.	Turlington.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Wells.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.
Laird.	

Nays—3

Van Zandt.

Absent

Beck.	Hunt.
Butler.	Jefferson.
Caven.	Johnson
Celaya.	of Anderson.
Coombes.	Johnson
Crossley.	of Dimmit.
Dunlap.	Jones of Atascosa.
Engelhard.	Kayton.
Hester.	Mackay.
Hodges.	McClain.
Holland.	McCullough.

McKee.	Ray.
Metcalfe.	Reader.
Moore.	Reed of Dallas.
Morse.	Renfro.
Nicholson.	Russell.
Patterson.	Shults.
Pavlica.	Tarwater.
Pope.	Thomas.
Ramsey.	Winningham.

Absent—Excused

Anderson.                      Holloway.

#### HOUSE BILL NO. 88 WITH SENATE AMENDMENTS

Mr. Van Zandt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 88, A bill to be entitled "An Act to amend House Bill No. 555, Chapter 216, Acts of the Regular Session of the Forty-third Legislature, relating to salaries of county commissioners, and providing from what funds said salaries shall be paid and making certain exceptions; providing the effective date of this Act shall be January 1, 1934; repealing all laws, both general or special, and parts of laws, both general or special, in conflict herewith, and making certain exceptions; and defining term 'assessed valuation.'"

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Van Zandt moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Barron, Adamson, Van Zandt, Latham, and Hyder.

#### PROVIDING FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Burns offered the following resolution:

Whereas, It has come to the attention of the Committee on Appropriations, both by affidavits and other evidences, that certain members and employes of the Live Stock Sanitary Commission have carried on a very

questionable practice in the filling of jobs and positions of employment under said Commission, carrying strong inference that someone is trafficking and selling jobs and positions of employment, under such Commission; now, therefore, be it

Resolved by the House of Representatives, That the Committee on Appropriations of the House of Representatives be, and it is hereby, authorized to investigate and inquire into the affairs and activities of Live Stock Sanitary Commission, or any other governmental department of whatever kind or character, of such activities, as to the financial or other welfare of the citizens of Texas.

Section 1. That said Committee shall have the powers to formulate its own rules of procedure and evidence, and to provide for its own hours for meeting and adjournment, and sessions of said Committee shall be open to the public, except at such times as the Committee, by majority vote, may determine to hold an executive session. The Chairman of the Committee on Appropriations shall appoint its secretary and employes.

Sec. 2. That the Committee shall have the power to issue summons for witnesses to any place in this State, and to compel them to produce all books and records, and upon disobedience of any subpoena, the said Committee shall have power to issue attachments which may be addressed to, and served by, any sheriff or any constable of this State. Said Committee shall have power to inspect and make copies of any books, records, or files of departments and institutions, and all officers and/or members and employes of departments and institutions, under investigation by said Committee. This Committee shall end its work January 1, 1934.

The Committee shall have power to administer oaths and fix the bonds of attached witnesses.

Sec. 3. The witnesses attending said Committee, under subpoena or attachment, shall be allowed the same mileages and per diem as allowed witnesses in the trial of criminal cases in the district court.

Sec. 4. Said Committee shall have the power and authority to employ necessary employes to make and keep

a record of its investigation. That the Chairman of said Committee on Appropriations shall appoint a steering committee, whose duty it will be to summons witnesses to appear before the Committee, whose testimony is thought to be valuable to this Committee, where such trafficking and selling of jobs, by certain departments of this Government, is or has actually take place, if any.

Sec. 5. That said Committee may call upon the Attorney General's Department, Auditor's Department, or Ranger's Department, and all other departments, for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions and give counsel and assistance to said Committee, upon request of the Chairman or members of said Committee.

Sec. 6. That said Committee shall begin and keep its investigation and complete its investigation at its earliest practicable moment, and shall submit a report in writing, at the next called session, and, if in the event there is not a called session, then said Committee shall make its report to the Forty-fourth Legislature. The compensation and expenses, herein provided for, incident to the work of such Committee, shall be paid out of the appropriation for mileage and per diem and contingent expenses of the First Called Session of the Forty-third Legislature, upon sworn account of persons entitled to such pay, approved by the Chairman of said Committee on Appropriations, and members of said Committee shall be paid all actual expenses in attending said Committee.

BURNS,  
GRAVES,  
CHASTAIN.

The resolution was read second time.

Mr. Daniel offered the following amendment to the resolution:

Amend resolution by striking out "the Committee on Appropriations," wherever it occurs, after the resolving clause, and inserting in lieu thereof the following: "A committee of five members to be appointed by the Speaker."

DANIEL,  
LONG.

The amendment was adopted.

Mr. Burns offered the following amendment to the resolution:

Amend the resolution by striking out all of Section 4.

The amendment was adopted.

The resolution as amended was then adopted.

## URGING CONGRESS TO PASS CERTAIN LAW

Mr. Morrison offered the following resolution:

H. C. R. No. 50, Urging Congress to pass certain law.

Whereas, By Act of Congress, approved June 13, 1933, there was created the Federal Home Owners' Loan Corporation, for the purpose of relieving indebtedness on home and farm mortgages, with the view of refinancing them so that the home owners and farm owners might save their homes from foreclosure by refinancing them through the said Corporation; and

Whereas, A State office of this Corporation was established in Dallas, Texas, with branch offices in Amarillo, San Antonio, and Houston, all of which are now prepared, organized, and fully equipped to carry out the purposes for which the Home Owners' Loan Corporation was created; and

Whereas, Since such Corporation has only a capital stock of \$200,000,000, and is empowered to issue bonds for only two billion dollars, while more than thirty billion dollars are now outstanding in mortgages against homes and farms in the United States, which will not begin to refinance the mortgages against homes and farms in the United States threatened with foreclosure; and

Whereas, In the State of Texas alone there have been applications for over 15,154 loans to refinance the mortgages on homesteads, while only 408 of said applications have been approved for the whole State of Texas; and

Whereas, These 15,000 applications are seeking for loans on homesteads totaling \$28,481,000; and

Whereas, It is self-evident that thousands of homes and farms in Texas are in danger of being foreclosed upon unless more money is available for the Federal Home Owners' Loan Corporation in order to refinance these thousands of homes



and farms not only in Texas but in the other 47 States; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, First Called Session, the Senate concurring, That we memorialize and urge the Congress of the United States, when it meets in its next Regular Session in December, to double the amount of money available for the purpose of refinancing the mortgage indebtedness against homesteads in Texas and the other States of the Union which are now and will soon be in distressful conditions, thereby increasing the amount of money that may be available for cash loans from two hundred million dollars to four hundred million dollars, and the amount of bonds that may be issued for the purpose of refinancing these mortgages from two billion dollars to four billion dollars, realizing that this will help to carry out the National Recovery program, by placing more money in circulation and by relieving the citizens of the State and Nation from the anxiety that is besetting them at the present time, due to the fact that thousands of them are in imminent danger of losing their homes and other worldly goods through foreclosure proceedings and forced sales by law.

The resolution was read second times.

Question—Shall the resolution be adopted?

#### RELATIVE TO THE REGULATION OF THE SALE OF BEER

Mr. Jefferson offered the following resolution:

H. C. R. No. 35, Providing for the appointment of certain committee.

Whereas, On the twenty-sixth of August, 1933, the people of Texas, by an overwhelming vote, licensed the sale of 3.2 beer in this State; and

Whereas, By reason of the fact that the revenue to be derived from the sale of said beer will be such that it will necessarily demand rules and regulations for the control of same; and

Whereas, Up to the present time there has been no commission or bureau created to take over the important work of formulating rules and regulations to control the sale of said beer; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Governor be authorized to appoint a committee or commission of seven members, to be appointed as follows:

One by the Governor of the State of Texas, three by the Lieutenant Governor of the State of Texas, and three by the Speaker of the House of Representatives; said committee or commission to begin its work as soon as possible after this present Called Session adjourns, and to make its report to the next Regular Session of the Legislature, namely, the Forty-fourth Legislature in 1935;

Resolved, That the time and place where meetings of said committee or commission shall be held is to be determined by the seven members when so named.

The resolution was read second time.

Question—Shall the resolution be adopted?

#### HOUSE BILL NO. 26 WITH SENATE AMENDMENTS

Mr. Townsend called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 26, A bill to be entitled "An Act providing that all lands south of parallel of latitude 29° 25' North, lying and being situated in Brewster and Presidio Counties, heretofore or hereafter purchased by the State for delinquent taxes and which are not redeemed within the time prescribed by law shall become the property of the State of Texas for park purposes, and shall be under the control of the Texas State Parks Board; providing for the execution of deeds to the State of Texas for park purposes and for filing of certified copies in the General Land Office and the keeping of certain records by the Commissioner of the General Land Office; providing for the exchange or sale of said lands and execution of necessary instruments of conveyance or transfer, etc., and declaring an emergency."

The Speaker laid the bill before the House, with Senate amendments.

On motion of Mr. Townsend, the House concurred in the Senate amendments by the following vote:

## Yeas—115

Adamson.	Leonard.
Aikin.	Lindsey.
Alexander.	Long.
Alsup.	Lotief.
Baker.	Mackay.
Barrett.	Magee.
Beck.	Mathis.
Bourne.	McDougald.
Bradley.	McGregor.
Burns.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Caven.	Morrison.
Celaya.	Morse.
Chastain.	Munson.
Clayton.	Parkhouse.
Colson.	Patterson.
Cowley.	Pavlica.
Crossley.	Puryear.
Daniel.	Ratliff.
Dean.	Reader.
Dunagan.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Fain.	Renfro.
Few.	Riddle.
Fisher.	Roberts.
Ford.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Graves.	Savage.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Stanfield.
Head.	Stinson.
Hill of Webb.	Stovall.
Hodges.	Stubbeman.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hunter.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Johnson	Wagstaff.
of Dimmit.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.
Laird.	

## Absent

Barron.	Davidson.
Bedford.	Devall.
Butler.	Dunlap.
Coombes.	Duvall.

Engelhard.	Lemens.
Greathouse.	McClain.
Harrison.	McCullough.
Hartzog.	McKee.
Hester.	Nicholson.
Hicks.	Palmer.
Hill of Brazoria.	Pope.
Hyder.	Ramsey.
Jefferson.	Ray.
Johnson	Shults.
of Anderson.	Smith.
Jones of Atascosa.	Steward.
Latham.	

## Absent—Excused

Anderson.	Holloway.
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## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.Sir: I am directed by the Senate  
to inform the House that the Senate  
has adoptedH. C. R. No. 67, To suspend Joint  
Rule XI, so as to allow considera-  
tion, until finally passed, of Senate  
Bill No. 54.S. C. R. No. 29, Relative to the  
suspension of Joint Rule XI, so as  
to allow the House to consider, until  
finally passed, Senate Bill No. 100.H. C. R. No. 64, Relative to sus-  
pension of Joint Rule XI, until the  
final disposition of Senate Bill No. 35.H. C. R. No. 57, To suspend Joint  
Rule XI, so as to consider, until  
finally passed, Senate Bill No. 39.S. C. R. No. 30, To suspend Joint  
Rule XI, so as to consider, until  
finally passed, Senate Bill No. 49.S. C. R. No. 28, Relative to sus-  
pension of Twenty-four-Hour Rule,  
so as to allow the House of Repre-  
sentatives to take up and consider  
Senate Bill No. 73, until finally dis-  
posed of.H. C. R. No. 30, Granting J. F.  
Bentley permission to sue the State  
Highway Commission.H. C. R. No. 60, To suspend Joint  
Rule XI, so as to permit the Senate  
to consider and finally pass House  
Bill No. 176.H. C. R. No. 22, Granting W. A.  
Morgan permission to bring suit

against the State Highway Commission.

H. C. R. No. 34, Granting B. P. Panas permission to sue the State.

H. C. R. No. 33, Granting J. W. Mayes permission to sue State Live Stock Sanitary Commission and State of Texas. (With amendments.)

The Senate has refused to concur in House amendments to Senate Bill No. 78, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Pace, Woodward, Small, Rawlings, and Hopkins.

The Senate has granted the request of the House for a conference committee on House Bill No. 10. The following have been appointed on the part of the Senate: Senators, Woodward, Woodul, DeBerry, Oneal, and Martin.

The Senate has granted the request of the House for a conference committee on House Bill No. 179, and the following Members have been appointed on the part of the Senate: Senators Holbrook, Sanderford, Parr, Beck, and Woodruff.

The Senate has adopted the conference committee report on House Bill No. 46 by the following vote: Yeas, 29; nays, 0.

The Senate has adopted the conference committee report on Senate Bill No. 57 by the following vote: Yeas, 24; nays 1.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 46

Mrs. Hughes submitted the following conference committee report on Senate Bill No. 46:

Austin, Texas, October 13, 1933.  
Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

We, your conference committee, appointed to adjust the differences between the House of Representatives and the Senate on

S. B. No. 46, A bill to be entitled "An Act providing for the issuance of State relief bonds in the sum of five million five hundred thousand dollars (\$5,500,000), under Section 51-a, Article III, of the Constitution of the State of Texas; providing the terms of the bonds, creating the Texas Bond Commission, designating its membership, and prescribing its duties; providing for the procedure for the sale of the bonds, and the disposition of the proceeds thereof; prohibiting borrowing in anticipation of future issuance of bonds, and defining such act as high crime and misdemeanor; prohibiting the sale of the bonds to certain institutions and/or out of certain funds of State institutions; providing a method of retirement of said bonds and the interest thereon, and making an appropriation therefor; providing for the destruction of issued and unsold bonds and of redeemed bonds, and the transfer of any unused moneys derived from the sale of said bonds to the Texas Relief Bond Sinking Fund; providing for the appropriation of the proceeds of the sale of said bonds to the Texas Relief Commission; providing for the amendment of House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature, Regular Session, creating the Texas Relief Commission for the purpose of administering Federal and/or State funds for employment, and/or relief of the unemployed, providing the Commission shall cease to exist August 26, 1935; defining the duties of the Commission, and providing for its membership and the appointment of a director and employes, providing for county relief boards, their membership, the employes of such boards, their powers and duties; making an appropriation; specifying the way and manner in which said money shall be expended, providing for rules and regulations for the handling of said funds and the powers of the Texas Relief Commission in event of failure or refusal of county boards to administer funds in compliance with this Act; providing for the distribution of funds; providing for penalties for misappropriation of funds and/or for making false statements or misrepresentations in order to procure money for relief; providing that if any section, clause, or sentence is held unconstitutional, such holding shall not affect the remaining por-

tions of the Act; prohibiting the employment of certain persons, and declaring an emergency,"

Have had same under consideration, and beg leave to submit, and ask that it be adopted as Senate Bill No. 46:

"S. B. No. 46,

# A BILL

## To Be Entitled

An Act providing for the issuance of State relief bonds in the sum of five million five hundred thousand dollars (\$5,500,000), under Section 51-a, Article III, of the Constitution of the State of Texas; providing the terms of the bonds, creating the Texas Bond Commission, designating its membership and prescribing its duties; providing for the procedure for the sale of the bonds, and the disposition of the proceeds thereof; prohibiting borrowing in anticipation of future issuance of bonds, and defining such act as high crime and misdemeanor; prohibiting the sale of the bonds to certain institutions and/or out of certain funds of State institutions; providing a method of retirement of said bonds and the interest thereon, and making an appropriation therefor; providing for the destruction of issued and unsold bonds, and of redeemed bonds, and the transfer of any unused moneys derived from the sale of said bonds to the Texas Relief Bond Sinking Fund; providing for the appropriation of the proceeds of the sale of said bonds to the Texas Relief Commission; providing for the amendment of House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature, Regular Session, creating the Texas Relief Commission for the purpose of administering Federal and/or State Funds for employment, and/or relief of the unemployed; providing the Commission shall cease to exist August 26, 1935; defining the duties of the Commission and providing for its membership and the appointment of a director and employes, providing for county relief boards, their membership, the employes of such boards, their powers and duties; making an appropriation; specifying the way and manner in which said money shall be expended, providing for rules and regulations for

the handling of said funds and the powers of the Texas Relief Commission in event of failure or refusal of county boards to administer funds in compliance with this Act; providing for the distribution of funds; providing for penalties for misappropriation of funds and/or for making false statements or misrepresentation in order to procure money for relief; providing that if any section, clause, or sentence is held unconstitutional, such holding shall not affect the remaining portions of the Act; prohibiting the employment of certain persons, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. In conformity with the provisions of Section 51-a, Article III, of the Constitution of the State of Texas, the Legislature of the State of Texas hereby issues five million five hundred thousand dollars (\$5,500,000) of bonds.

a. Such bonds are issued on the faith and credit of the State of Texas, but the redemption of any of such bonds or the payment of interest thereon shall be made from sources, other than a tax on real property and the indebtedness, as evidenced by such bonds, shall never become a charge against or lien upon any property, real or personal, within this State. The bonds shall be known and designated as "Texas Relief Bonds—First Series."

b. Such bonds shall be numbered consecutively, beginning with Number One, and shall be in denominations of one hundred dollars (\$100) each, or multiples thereof as may be determined by the Texas Bond Commission hereinafter created, aggregating, however, the sum of five million five hundred thousand dollars (\$5,500,000).

c. They shall be dated October 15, 1933, and the principal of said bonds shall mature as follows:

\$500,000,	on October 15, 1935,
\$525,000,	on October 15, 1936,
\$550,000,	on October 15, 1937,
\$575,000,	on October 15, 1938,
\$600,000,	on October 15, 1939,
\$625,000,	on October 15, 1940,
\$650,000,	on October 15, 1941,
\$700,000,	on October 15, 1942,
\$775,000,	on October 15, 1943;

Provided, however, that any amount of said bonds may be redeemed by the State, at its option, at any time on or after October 15, 1938.

d. They shall bear interest at the rate of four per cent (4%) per annum, payable semi-annually on April 15 and October 15 of each year, the first interest being due and payable on April 15, 1934.

e. The principal and interest shall be payable in lawful money of the United States upon presentation and surrender of bonds or proper coupons at the office of the Treasurer of the State of Texas at Austin, Texas.

f. They shall be exempt from taxation by the State, county, municipal, or quasi municipal corporation, or any political subdivision of the State or any county.

g. Each bond shall be signed by the Governor, attested by the Secretary of State, under the seal of the State of Texas, countersigned by the State Comptroller of Public Accounts, approved as to form by the Attorney General of Texas and registered by the State Treasurer of Texas. The facsimile signatures of the Governor, Secretary of State and the State Comptroller of Public Accounts may be lithographed on the interest coupons of said bonds.

h. The form of said bonds, which shall have interest coupons attached to them, and the printing and/or engraving of same shall be provided for by the Commission and after being printed and/or engraved, signed, attested, and countersigned by the proper officials, they shall be immediately deposited with the State Treasurer of Texas for registration and safe-keeping. It shall be the duty of said officer to keep a record of said bonds so deposited with him in a special book procured and kept for that purpose. He shall also keep a record of any and all bonds delivered by him to the Texas Bond Commission for sale as hereinafter provided.

Sec. 2. For the purpose of selling such bonds and of performing such other duties as may be hereinafter imposed upon it, there is hereby created an official commission for the State of Texas, to be known as the "Texas Bond Commission," to be composed of three members as follows:

The Comptroller of Public Accounts, the State Treasurer, and the Attorney General, who shall serve without additional compensation.

Immediately upon the effective date of this Act, said Commission shall meet and elect one of its members as Chairman and another as secretary, and the secretary shall keep the minutes of all proceedings of the Commission in a book to be kept as a public record in the archives of his office. The Commission shall meet at any and all times as may be necessary to carry out the provisions hereof and the purposes for which it was created, upon the call of the Chairman or of any two members of the Commission.

Sec. 3. The sale of five million five hundred thousand dollars (\$5,500,000) of Texas relief bonds by the Texas Bond Commission is hereby authorized in the following manner:

The Texas Relief Commission, which is hereinafter provided for, shall make application to the Texas Bond Commission for the sale of such part of said five million five hundred thousand dollars (\$5,500,000) of bonds as, in its judgment, is needed to procure State money necessary for the relief of the unemployed and needy for a period of two months, and upon the filing of said application, said Texas Bond Commission shall sell the amount of bonds so requested by the Texas Relief Commission. For further periods, upon application of the Texas Relief Commission, said Texas Bond Commission is hereby directed to sell additional bonds, but the amount sold at any one time shall not exceed the amount which is necessary to provide State funds sufficient to care for the needy and unemployed for a period of two months. Upon the sale by the Texas Bond Commission of any portion of the five million five hundred thousand dollars (\$5,500,000) of Texas relief bonds as herein provided for, the said Bond Commission shall, by order, provide that the bonds shall mature over a period of nine years beginning October 15, 1935, and in the same proportion as set out in Subsection (c), of Section 2, hereof. The order of the Bond Commission fixing the maturities shall be entered upon the minutes of the Commission. In no event shall the total amount of the bonds sold under authority of this Act exceed a total face value of five million five hundred thousand dollars (\$5,500,000). No bond, as provided for hereunder, shall be sold from and after the fifteenth

day of September, A. D. 1935. It is further provided that no officer or officers, board, commission, or any person whatsoever shall borrow from any government, or from any source, or permit advances of any amount whatsoever, for any of the purposes stated in Section 51-a, Article III, of the Constitution, in anticipation of the future issuance of bonds, and any such loan or advance shall be void and shall create no obligation against the State of Texas; and any officer of the State of Texas, or any officer or member of any board or commission of the State of Texas, participating in such attempted loan or advance, shall be deemed guilty of high crimes and misdemeanors. Provided, that loans and advances may be secured from the Federal Government to be paid out of the proceeds of the five million five hundred thousand dollars (\$5,500,000) of bonds hereby issued, but not out of or against any other bonds than said five million five hundred thousand dollars (\$5,500,000) of bonds.

Sec. 4. The bonds authorized to be sold by this Act shall be sold by the Texas Bond Commission at a time and place to be designated by the Bond Commission and after advertisement published in three (3) newspapers of general public circulation in the State of Texas, which publication shall be made for at least once each week for two (2) consecutive weeks prior to the day said bonds are offered for sale, the advertisements specifying date, amount, and maturities of the bonds, the rate of interest, and such other provisions as the said Commission may deem proper. The sale shall be made upon sealed bids filed with the secretary of said Bond Commission and accompanied by such earnest payment as the Bond Commission may direct; provided, however, that no bonds shall be sold for less than par and accrued interest. The said Bond Commission shall reserve the right to reject all bids, but in the event a bid is accepted, the State Treasurer, on order of the Texas Bond Commission, is directed to deliver said bonds to the purchasers when he shall have received for the credit of the State of Texas, current funds of the United States to the extent of the highest bid made for said bonds, which shall in no event be less than par and accrued interest. In event the Bond

Commission rejects all bids, it shall be the duty of the Bond Commission to readvertise said bonds as above provided and again offer same for sale in the manner above provided. The Texas Bond Commission may also sell at private sale to the Reconstruction Finance Corporation, or to any other governmental agency, other than such agencies as are specifically prohibited from purchasing same by the provisions of this Act, the entire amount of bonds offered for sale by the Bond Commission on any particular date, or any part thereof, and it shall not be necessary as a prerequisite of its purchase of such bonds that the Reconstruction Finance Corporation or such other agency of government offering to buy said bonds shall make a sealed bid as required of persons and private concerns, and it shall not be necessary as a prerequisite of its purchase of said bonds that the Reconstruction Finance Corporation or other governmental agency file with the Bond Commission the earnest payment above referred to as required of persons and private concerns; provided, however, that the Bond Commission shall not sell to the Reconstruction Finance Corporation or other governmental agency any of said bonds at a price less than the par value thereof and accrued interest thereon. No commission, directly or indirectly, shall be allowed upon the sale of said bonds or any of them.

The funds other than accrued interest received from the sale of said bonds shall be credited to the State Treasurer to a fund to be known as the "Relief Bond Fund." Any amounts received as accrued interest from the sale of said bonds shall be placed to the credit of a fund designated as "The Texas Relief Bond Sinking Fund." Both of said funds may be deposited in accordance with the depository laws of the State of Texas for the deposit of other State funds.

Sec. 5. No bonds sold by the Texas Bond Commission under the terms of this Act shall ever be purchased by, for, on account of, or out of the permanent fund of the University of Texas, Public Free School Fund, Highway Fund, or any other fund now existing under the control of or for the use and maintenance of any institution of higher education in Texas or the public school system of this

State or any eleemosynary institution of the State, or the sinking funds of any county in this State.

Sec. 6. The funds belonging to the "Relief Bond Fund" shall be disbursed by warrants drawn by the Comptroller of Public Accounts on said fund in the payment of allocations made and approved by the Texas Relief Commission, which approval shall be reflected by the minutes of the Texas Relief Commission, signed by its Chairman and attested by its Secretary, and filed with the Comptroller of Public Accounts; provided that such warrants shall be issued by the Comptroller of Public Accounts against vouchers signed by the Director or someone authorized by him in writing to sign for the Director and countersigned by the Secretary of the Texas Relief Commission or by some one authorized by him in writing to countersign said vouchers by the Secretary, in amounts not exceeding in the aggregate the amount allocated to any payee, by the Texas Relief Commission as evidenced by its minutes as signed, attested, and filed as hereinbefore provided.

Sec. 7. Any and all bonds, as well as all interest thereon issued and sold under authority and direction of this Act, shall be redeemed in the following manner:

Each year after this Act becomes operative and until the bonds herein provided for have been retired, the State Treasurer of the State of Texas as he receives any and all moneys obtained for the use and benefit of the General Revenue Fund of the State of Texas, other than any tax on real property shall annually set up a special and separate fund, in anticipation of, and sufficient to meet, all interest and maturity requirements on said bonds for the fiscal year succeeding, which said fund shall be deposited to the credit of the "Texas Relief Bond Sinking Fund." Said Texas Relief Bond Sinking Fund shall be kept by said State Treasurer as a special fund, out of which the interest of said bonds shall be paid, and out of which said bonds shall be redeemed, and the same is hereby appropriated for the purpose of paying the interest and principal of the bonds authorized by this Act, it being the intention of the Legislature to set apart and preserve an adequate fund to pay off and discharge the principal

and interest of said obligation as and when the same becomes due and payable.

And there is hereby specially appropriated for the years ending August 31, 1934, and August 31, 1935, an amount for each of said years out of said "Texas Relief Bond Sinking Fund" equivalent to the amount of interest maturing on any and all outstanding bonds during each of said years, and the State Treasurer is hereby directed to make payment of said interest as it matures during each of said years upon presentation of coupons evidencing such.

Sec. 8. If on the twenty-sixth of August, A. D. 1935, all of the bonds which have been issued herein have not been sold, it shall be the duty of the State Treasurer in the presence of the other two members of the Commission to destroy by burning any unsold bonds and any interest coupons appended thereto, and after said bonds have been destroyed by burning as above provided, it shall be the duty of said members of said Commission to make a certificate in writing to the effect that said bonds were destroyed in accordance with the provisions of this law and giving the date on which said bonds were destroyed by the State Treasurer, and file said certificate in the office of the Secretary of State of Texas. As bonds mature and are paid they shall be forthwith destroyed and report of such filed in like manner.

Sec. 9. If at the time the Texas Relief Commission has ceased to function as a body there shall remain with the State Treasurer any sums of money which have been derived from the sale of any of said bonds, it shall be the duty of said State Treasurer to transfer said money out of said special account to the Texas Relief Bond Sinking Fund.

Sec. 10. The proceeds of the sale of any and all bonds not to exceed five million five hundred thousand dollars (\$5,500,000) under this Act sold as herein provided, during each of the years of the biennium ending August 31, 1935, are hereby appropriated to the Texas Relief Commission for the said biennium, for the purposes and subject to the restrictions as set forth in this Act. The expense for printing, lithographing, and/or engraving the bonds, as well as all expense incident to the sale

thereof, shall be paid out of said funds.

Sec. 11. House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 1. For the purpose of coordinating and unifying the administration of all funds of a Federal and/or State character, appropriated or otherwise made available for the employment, rehabilitation, and/or relief of the unemployed, there is hereby created the Texas Relief Commission. Said Commission shall cease to exist on August 26, 1935.

"Sec. 2. It shall be the duty of the Commission to administer all funds made available to said Commission by the Federal Government, provided that the activities of the Commission shall have as their sole and exclusive objects the providing of employment and/or relief to the unemployed.

"Nothing herein shall be deemed to prevent, unless otherwise prohibited by law, any individual, corporation, association, partnership, firm, public body, municipality, or other political subdivision of the State or department of the State Government from borrowing from the Federal Government or any agency thereof, including, without exclusion because of enumeration, projects made possible by the Emergency Act, public work projects, self-liquidating projects, construction of housing units to be rented at low cost, colonization projects, crop production made possible under the Emergency Relief and Reconstruction Act, or from administering any funds made available to such individual, corporation, association, partnership, firm, public body, municipality, or other political subdivision of the State or department of the State Government.

"Sec. 3. The Texas Relief Commission shall be composed of nine (9) members; the Chairman of the Industrial Accident Board and his successor in office, the President of the Texas Civil Judiciary Council and his successor in office, three (3) to be appointed by the Lieutenant Governor, three (3) by the Speaker of the House of Representatives, one (1) by the Governor. The members of the present Texas Rehabilitation and Relief

Commission shall perform the duties imposed upon the Texas Relief Commission herein created, until five members of the Texas Relief Commission have qualified by taking the constitutional oath of office, after which time, they shall have no authority or rights hereunder. The Governor and his successors in office shall be ex-officio chairman of said Commission, but shall not be entitled to a vote, except in the case of a tie vote. The remaining members of the Commission shall take the constitutional oath of office; provided, however, that nothing in this Act shall prevent or preclude the reappointment of any one or more of the members now constituting the membership of the present Texas Rehabilitation and Relief Commission created by the terms of House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature, Regular Session; and provided, however, that in the event of the death, resignation, or removal for any cause of any member of said Commission appointed by the Lieutenant Governor or the Speaker of the House of Representatives, the vacancy created thereby shall be filled by appointment by the person making the original appointment. The members of said Commission shall serve without compensation, but shall be allowed and paid all reasonable and necessary expenses incurred in the discharge of their duties.

"At its first meeting, the Commission shall elect from its membership a Chairman pro tempore, who shall preside at all meetings in the Governor's absence, and a secretary, who shall keep a record of all meetings and be responsible therefor.

"There is hereby created the position of Director of the Texas Relief Commission, and the present Director of the Texas Rehabilitation and Relief Commission shall serve as Director of the Texas Relief Commission, unless and until removed as herein provided. He shall subscribe to the constitutional oath of office, and shall make and execute a good and sufficient bond, payable to the Governor of the State of Texas, in the sum of fifty thousand dollars (\$50,000), to be approved by the Commission and the Attorney General of Texas. He shall be subject to removal by the Commission, and, in case of his removal, or his failure to qualify, or his death or resigna-



tion, the Commission, by a vote of a majority of its members, shall have authority to fill such vacancy by appointment. The salary of the Director is hereby set at four thousand dollars (\$4,000) a year.

"At its first meeting, the Commission shall also by a vote of a majority of its members appoint an Assistant Director and a Chief Auditor, whose respective salaries shall be set by the Commission at an amount not to exceed three thousand dollars (\$3,000) per year. The Assistant Director shall take the constitutional oath of office and shall make and execute a good and sufficient bond payable to the Governor of the State of Texas in the sum of twenty-five thousand dollars (\$25,000), to be approved by the Commission and the Attorney General of Texas.

"The premium on the bonds of the Director and Assistant Director shall be paid out of the amount herein appropriated.

"Subject to the approval of the Commission, the Director shall appoint such employes, including such field agents and auditors as are necessary to carry out the provisions of this Act, at salaries not to exceed those being paid by the State of Texas to employes performing similar duties in the State departments. The employes of the present Texas Rehabilitation and Relief Commission shall continue to perform their duties until removed by the Director.

"Sec. 4. County relief boards are hereby created in each county. In all counties containing an incorporated city, having a population of one hundred thousand (100,000) or more inhabitants, according to the last preceding Federal Census, the county relief board shall consist of seven members; three (3) of whom shall be appointed by the governing body of such city and four (4) by the commissioners court of the county, with the approval of the Texas Relief Commission. In all other counties, the county relief board shall consist of five (5) members to be appointed by the commissioners courts of the respective counties, with the approval of the Texas Relief Commission. At the first meeting of the county relief boards, the members of said boards shall select one of their members as chairman and one as secretary. The county relief boards of each county may employ an administrator and

such additional employes, with the approval of the Director and the Texas Relief Commission, as are necessary to carry out the provisions of this Act in accordance with such arrangement as may be made from time to time by the Commission with the Federal Emergency Relief Administration, or such other Federal agency as may be charged with the distribution of Federal Relief Funds. The Administrator and such other employes as are appointed by the county relief boards shall, immediately upon appointment, enter upon the discharge of their duties and so continue until approved or rejected by the Director and/or the Texas Relief Commission. The members of the present county boards of welfare and employment shall continue as members of the respective county relief boards, until a majority of the members of the county relief boards shall have been appointed and qualified by taking the constitutional oath of office. Immediately upon the qualification of a majority of the members of any county board, such members shall discharge the duties of said board pending their approval by the Texas Relief Commission. In case of the removal, failure to qualify, resignation or death of any member of the county board, his successor shall be appointed in the same manner as hereinabove provided.

"The salaries of the county administrator and other employes shall be fixed by the State Director with the approval of the State Commission. If Federal funds are not available for the payment of such salaries and administrative expense, the State Commission may, in its discretion, authorize the payment of such salaries and administrative expense out of State funds, not to exceed five per cent (5%) of such State funds allocated to each county; provided, however, that the county commissioners court shall set the salaries of the employes in counties bearing the administrative expense.

"The said Commission, whenever in its judgment, it is deemed to be for the best interests of the public and for the general welfare, may remove the members of any county board or discharge any employe of any county relief board, and the failure of the governing bodies of such county to appoint other suitable persons on such board or of the county board to em-

ploy other persons, will authorize the Commission to make other appointments on said boards and to such administrative personnel.

"It shall be the duty of the county relief board of each county to fill such vacancies and to keep such records as may be required by the Texas Relief Commission and to conform the use of said funds to the provisions of this Act and the rules of the Texas Relief Commission and, in the event any board or body charged with the disbursements of funds under this Act fails or refuses to administer and expend any funds allocated to it in compliance with this Act and the rules of the Texas Relief Commission, or refuses to make reports as may be required by the Texas Relief Commission, the said Commission may withdraw all funds from said county and withhold further advances until convinced that no further infraction of the law or rules will be committed and until any funds erroneously expended are returned to the Commission. The Texas Relief Commission shall have the power to discontinue work in any county at any time when such work in its judgment is not justified for the purpose of relieving unemployment.

"It shall be the duty of the county relief board to co-ordinate and unify all work for the distribution and disbursement of funds made available to the said Texas Relief Commission by the State or Federal Government for the employment and/or relief of the unemployed. Subject to the rules and regulations of the Texas Relief Commission, the county relief boards shall administer relief to the unemployed through the organization of work opportunity and/or relief. It shall be the duty of the county relief boards to keep a list of citizens of the county who desire to employ labor. At any time a person on the relief rolls physically able to work is offered employment at the prevailing wage scale in the locality wherein the work is to be performed, refuses to accept the same without good cause, said county relief board is hereby prohibited from giving further direct relief or work relief to said individual.

"The governing body of any county and/or city may, by mutual agreement, delegate the supervision and direction of any public welfare agency under their respective control to the county relief boards.

"The county administrator shall, at all times, keep a complete record of the disbursement of funds through his office by setting forth in said records the names and post-office addresses of all individuals receiving aid. Such records shall, at all times, be subject to public inspection.

"Sec. 5. There is hereby appropriated, out of the General Fund of the State of Texas, not otherwise appropriated, the sum of forty thousand dollars (\$40,000), or so much thereof as is necessary, to be expended during the balance of the biennium ending August 31, 1935.

"Sec. 6. It shall be the duty of the Texas Relief Commission, through its chief auditor, to make monthly statements duly itemized as to all moneys expended, showing to whom paid, and for what said money was expended, which statement shall be filed in the office of the Secretary of State, and a copy with the State Comptroller."

Sec. 12. The funds derived from the sale of Texas Relief Bonds shall be used exclusively for the purpose of furnishing relief and work relief to the needy and distressed people of the State of Texas, and for the purpose of relieving the hardships resulting from unemployment now existing, or that may hereafter exist, in the State of Texas. No person, reasonably able to perform manual labor, shall be given direct relief, unless circumstances are such as to make opportunity for work impractical, and in no event shall direct relief and/or work relief be granted to any person unless he is in necessitous circumstances.

Sec. 13. The county relief boards, acting with the commissioners courts of the county, or with the governing body of any municipal or quasi-municipal corporation, or other political subdivisions of the county, are authorized to formulate plans and specifications for the construction of such lateral roads and other work projects as may be needed in said county, provided the construction of same will be feasible and practicable from the standpoint of utilizing labor by unemployed people in said county. All projects for which relief bonds are to be expended shall be submitted to, and approved by, the Texas Relief Commission. The application to the

Commission shall contain such data as is necessary to show the details of the project undertaken, and shall be accompanied by plans and specifications showing the way and manner in which the work is to be performed. Before any application is approved, it shall be made to appear to the State Relief Commission that the following essential facts exist, to wit:

1. That the project presents a practical opportunity to provide work for unemployed people of the county or subdivision making the application; and at least 95 per cent of the funds for such project will be used for labor.

2. That the project can be constructed with local unemployed labor eligible for employment on relief projects.

3. That a needed civic improvement of a public nature will result.

4. That the project will not require the expenditure of an inequitable portion of the relief funds when compared with the needs of the whole State and the amount of money available for relief and work relief purposes.

5. That the project could not be accomplished as a public work project on account of the demonstrated inability of the county, municipality, or other political subdivision concerned to finance its part of the project under the requirements of the Public Works Administration.

If a county, municipal, or quasi-municipal corporation, or other political subdivision of the county is allotted funds to be used for the construction, repair, or maintenance of lateral roads or any other public project, then and in such event, said commissioners court or the governing body of such municipality, quasi-municipality, or other political subdivision of the county shall have the direct supervision and control of the expenditures of such funds, allotted to it, subject, however, to such rules and regulations as may be prescribed by the State Relief Commission, and in the expenditure of such funds, the commissioners court or other governing body may act, free from the county board, in all matters except as to the employment of labor which shall be supplied by the county board. At least 95 per cent of the State funds granted by this Section shall be used for the purpose of paying for

labor of unemployed persons who are eligible for work under the provisions of this Act, and an amount not to exceed 5 per cent of the funds granted by this Section may be used for the purchase of materials, tools, and supplies; provided, however, that nothing herein shall be construed as prohibiting the use of any funds received from the United States Public Works Administration for the furnishing of material, tools, and supplies and for other purposes.

Sec. 14. The State Director and/or Commission are hereby authorized to co-operate with other agencies and/or departments of the State Government in formulating plans for other feasible work relief projects. The State Reclamation Engineer, State Water Engineers, State Forester, all State educational institutions, and all other departments and agencies of the State of the State Government are hereby instructed and required to co-operate with the State Director and Commission in formulating plans for work projects and it is their duty to furnish to said Commission all information and data and to provide all technical reports desired concerning any matter under the control of such department, provided, however, in no event shall any of the funds derived from the sale of bonds be used for the purpose of securing any technical reports which may be supplied by any existing department of State Government; and provided further that in no event shall an amount in excess of 5 per cent of the funds expended on any project be used for the purchase of materials and/or equipment for such project whatever.

Sec. 15. The Texas Relief Commission is hereby authorized to use not more than one per cent (1%), or so much thereof as may be necessary, of the proceeds of the Texas Relief Bonds for the payment of hospital bills. Provided, however, that such hospital bills shall not be in excess of two dollars and fifty cents (\$2.50) per day per patient. Such hospitalization shall be authorized only in emergency cases where special attention is essential to the preservation of life and such care cannot be adequately administered in the homes of the patients or in the doctor's private offices. Provided that no funds shall be used in counties having either county or city hospitals.

Sec. 16. The Texas Relief Commission is hereby authorized to use not to exceed one per cent (1%) or so much thereof as may be necessary, of the proceeds of the Texas Relief Bonds for the purpose of distributing food and/or clothing supplied by any agency of the Federal and/or State Government, in instances where the Federal Government will not bear the cost of such distribution.

Sec. 17. The Texas Relief Commission shall allocate to the several counties the sums to be received by such counties, which allocations shall be made upon applications for both work relief and direct relief, and a statement shall be made available by such Commission to the press, once each month showing the total amount of funds allocated to each county in the State. No portion of said funds shall be expended by any private or unofficial agency.

Sec. 18. All records, papers, accounts, data, books, and documents belonging to the present Texas Rehabilitation and Relief Commission shall be turned over to the Texas Relief Commission immediately upon the appointment and qualification of its members, or a majority thereof, and all such records, papers, accounts, data, books, and documents shall be kept by the Texas Relief Commission, and shall become a part of the records of said Texas Relief Commission. At the expiration date of this Act, all the records of the Texas Relief Commission shall be delivered to the Secretary of State and preserved by the Secretary of State as public records.

Sec. 19. None of the funds herein appropriated nor any of the funds arising from the sale of the bonds shall be used to pay the salary of any employe of the Texas Relief Commission who is related by blood or marriage within the second degree to the head of any department of the State Government or to any member of the Legislature or to any member of the Texas Relief Commission, and no person so related shall be employed by the Texas Relief Commission.

Sec. 20. Any person or persons charged with the duty or responsibility of administering, disbursing, auditing, or otherwise handling the relief funds provided for in this Act, and who shall misappropriate any such relief funds or who shall know-

ingly make false reports concerning same or who shall by collusion or fraud with any other person wrongfully distribute the funds provided for in this Act, shall be deemed guilty of a felony and shall, upon conviction, be confined in the State Penitentiary for a term of not less than one year nor more than five years.

Sec. 21. Any person or persons who shall knowingly make any false statement or misrepresentation in order to procure any sum or sums of money provided for in this Act as relief funds, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not less than ten dollars (\$10) nor more than fifty dollars (\$50), or by a jail sentence of not exceeding three months, or by both such fine and jail sentence.

Sec. 22. If any section, clause, or sentence in this Act should ever be held to be unconstitutional, such holding shall not affect the remaining portions of this Act.

Sec. 23. The fact that there are now in Texas, thousands of citizens of this State who are unemployed, and in destitute circumstances, and the fact that no adequate means have been provided by the State of Texas for their relief, and the fact that the people of the State of Texas have recently voted in favor of authorizing the Legislature to issue certain bonds for the relief of the destitute and necessitous people of Texas, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule, requiring bills to be read on three separate days in each House, and the said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

WOODWARD,  
REDDITT,  
MARTIN,  
SMALL,

On the part of the Senate;

HUGHES,  
DEVALL,  
McGREGOR,  
CALVERT,  
MOORE,

On the part of the House.

Mr. Aikin moved that the conference committee report be printed in mimeograph form, and further consideration of same be temporarily postponed.

Mr. Alexander moved to table the motion of Mr. Aikin.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—64.

Adamson.	Mathis.
Alexander.	McDougald.
Alsup.	McGregor.
Bedford.	Merritt.
Bradley.	Moffett.
Calvert.	Moore.
Cathey.	Morse.
Davidson.	Munson.
Dean.	Parkhouse.
Devall.	Puryear.
Dwyer.	Ratliff.
Few.	Reed of Dallas.
Fisher.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Goodman.	Rollins.
Graves.	Ross.
Hankamer.	Savage.
Harman.	Shannon.
Harrison.	Shults.
Hartzog.	Smith.
Hicks.	Stanfield.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Hughes.	Stubbeman.
Hunter.	Tennyson.
Jackson.	Turlington.
James.	Van Zandt.
Jones of Runnels.	Wagstaff.
Lemens.	Weinert.
Leonard.	Wells.
Long.	Young.
Magee.	

## Nays—41

Aikin.	Holekamp.
Baker.	Huddleston.
Barrett.	Jones of Shelby.
Bourne.	Kyle of Hays.
Burns.	Kyle of Palo Pinto.
Canon.	Lotief.
Clayton.	Mitcham.
Colson.	Morrison.
Coombes.	Palmer.
Cowley.	Patterson.
Cressley.	Pope.
Daniel.	Reed of Bowie.
Fain.	Renfro.
Ford.	Riddle.
Greathouse.	Roberts.
Griffith.	Scarborough.
Harris.	Scott.
Head.	Sullivant.
Hill of Webb.	Townsend.

Vaughan.  
Walker.

Wood.

Absent

Barron.	Jones of Atascosa.
Beck.	Kayton.
Butler.	Laird.
Camp.	Latham.
Caven.	Lindsey.
Celaya.	Mackay.
Chastain.	McClain.
Dunlap.	McCullough.
Dunagan.	McKee.
Duvall.	Metcalfe.
Engelhard.	Nicholson.
Golson.	Pavlica.
Good.	Ramsey.
Hester.	Ray.
Holland.	Reader.
Hoskins.	Russell.
Hunt.	Steward.
Hyder.	Tarwater.
Jefferson.	Thomas.
Johnson	Tillery.
of Anderson.	Winningham.
Johnson	
of Dimmit.	

Absent—Excused

Anderson. Holloway.

Mr. Calvert moved a call of the House for the purpose of maintaining a quorum pending consideration of the conference committee report on Senate Bill No. 46, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

Mr. Long moved a call of the House for the purpose of maintaining a quorum pending consideration of conference committee reports on House Bill No. 10 and Senate Bill No. 46, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—59

Alsup.	Golson.
Barrett.	Goodman.
Bedford.	Graves.
Bradley.	Griffith.
Calvert.	Hankamer.
Celaya.	Head.
Dean.	Hicks.
Devall.	Hill of Webb.
Fain.	Hoskins.
Fisher.	Huddleston.
Fuchs.	Hughes.
Glass.	Jackson.

James.	Ratliff.
Johnson	Reed of Bowie.
of Dimmit.	Roberts.
Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kayton.	Rollins.
Latham.	Savage.
Leonard.	Scarborough.
Lindsey.	Shannon.
Long.	Smith.
Lotief.	Stinson.
Mackay.	Stovall.
Magee.	Tarwater.
McGregor.	Tennyson.
Metcalfe.	Thomas.
Moore.	Tillery.
Munson.	Walker.
Parkhouse.	Wells.
Pope.	

## Nays—60

Adamson.	Hunter.
Aikin.	Hyder.
Alexander.	Jefferson.
Baker.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Beck.	Laird.
Bourne.	Mathis.
Burns.	McDougald.
Camp.	Merritt.
Canon.	Mitcham.
Chastain.	Moffett.
Colson.	Morrison.
Coombes.	Palmer.
Crossley.	Patterson.
Daniel.	Pavlica.
Davidson.	Puryear.
Dunagan.	Reed of Dallas.
Dwyer.	Renfro.
Few.	Riddle.
Ford.	Rogers of Hunt.
Good.	Russell.
Greathouse.	Scott.
Harman.	Stanfield.
Harris.	Sullivan.
Harrison.	Townsend.
Hartzog.	Turlington.
Hill of Brazoria.	Van Zandt.
Hodges.	Vaughan.
Holekamp.	Weinert.
Hunt.	Winningham.

## Absent

Butler.	Lemens.
Cathey.	McClain.
Caven.	McCullough.
Clayton.	McKee.
Cowley.	Morse.
Dunlap.	Nicholson.
Duvall.	Ramsey.
Engelhard.	Ray.
Hester.	Reader.
Holland.	Ross.
Johnson	Shults.
of Anderson.	Steward.
Jones of Atascosa.	Stubbeman.

Wagstaff.	Young.
Wood.	
Absent—Excused	
Anderson.	Holloway.

Mr. Sullivant called for a full reading of the conference committee report on Senate Bill No. 46.

Mr. Coombes moved that the House dispense with a full reading of the report.

The motion of Mr. Coombes was lost.

The report was then read in full.

(Speaker in the Chair.)

Mrs. Hughes moved that the report be adopted.

The motion prevailed by the following vote:

## Yeas—114

Adamson.	Hoskins.
Alexander.	Huddleston.
Alsup.	Hughes.
Barrett.	Hunter.
Barron.	Jackson.
Bedford.	James.
Bradley.	Jefferson.
Burns.	Jones of Atascosa.
Calvert.	Jones of Runnels.
Camp.	Jones of Shelby.
Cathey.	Kayton.
Caven.	Kyle of Palo Pinto.
Celaya.	Laird.
Chastain.	Lemens.
Clayton.	Leonard.
Colson.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Mackay.
Dunlap.	Magee.
Dunagan.	Mathis.
Duvall.	McClain.
Dwyer.	McDougald.
Engelhard.	McGregor.
Fain.	Merritt.
Few.	Metcalfe.
Fisher.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Pavlica.
Harris.	Pope.
Hartzog.	Puryear.
Head.	Ramsey.
Hicks.	Ratliff.
Hill of Brazoria.	Reader.
Hill of Webb.	Reed of Bowie.
Hodges.	Reed of Dallas.
Holekamp.	Renfro.

Roberts.	Stubbeman.
Rogers of Hunt.	Sullivant.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Thomas.
Ross.	Tillery.
Russell.	Townsend.
Savage.	Turlington.
Scarborough.	Van Zandt.
Shannon.	Wagstaff.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Wood.
Stinson.	Young.
Stovall.	

## Nays—23

Aikin.	Hunt.
Baker.	Hyder.
Beck.	Johnson
Bourne.	of Dimmit.
Canon.	Kyle of Hays.
Coombes.	Latham.
Cowley.	Mitcham.
Crossley.	Riddle.
Devall.	Scott.
Ford.	Vaughan.
Graves.	Walker.
Hester.	Winningham.

## Absent

Butler.	McCullough.
Harman.	McKee.
Harrison.	Nicholson.
Holland.	Ray.
Johnson	Shults.
of Anderson.	

## Absent—Excused

Anderson.	Holloway.
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TO SUSPEND CERTAIN JOINT  
RULE

Mr. Pope offered the following resolution:

H. C. R. No. 73, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended so as to allow the House to take up and consider, until finally passed, Senate Bill No. 64.

The resolution was read second time, and was lost.

RELATIVE TO SENATE BILL  
NO. 46

On motion of Mr. Barrett, the conference committee report on Senate Bill No. 46 was ordered printed in mimeograph form, and placed on the desks of the Members.

MOTION TO TAKE UP SENATE  
BILL NO. 39

Mr. Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 39 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—82

Adamson.	Jones of Shelby.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Baker.	Laird.
Barrett.	Latham.
Beck.	Leonard.
Bedford.	Lindsey.
Bourne.	Mackay.
Bradley.	McClain.
Calvert.	McCullough.
Canon.	McDougald.
Cathey.	Merritt.
Celaya.	Metcalfe.
Chastain.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Coombes.	Morse.
Davidson.	Munson.
Fain.	Parkhouse.
Few.	Pavlica.
Ford.	Pope.
Fuchs.	Reed of Dallas.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Russell.
Graves.	Savage.
Greathouse.	Scott.
Griffith.	Smith.
Hankamer.	Stinson.
Harris.	Stovall.
Hartzog.	Stubbeman.
Hester.	Sullivant.
Hicks.	Tarwater.
Holland.	Thomas.
Huddleston.	Townsend.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hyder.	Wagstaff.
Jackson.	Wells.
Jones of Atascosa.	Wood.
Jones of Runnels.	

## Nays—41

Aikin.	Duvall.
Burns.	Dwyer.
Camp.	Fisher.
Daniel.	Head.
Dean.	Holekamp.
Devall.	Hoskins.
Dunlap.	Hunter.

James.	Renfro.
Jefferson.	Roberts.
Kayton.	Rollins.
Lemens.	Ross.
Long.	Scarborough.
Lotief.	Stanfield.
Magee.	Tennyson.
Mathis.	Tillery.
Palmer.	Vaughan.
Patterson.	Walker.
Puryear.	Weinert.
Ratliff.	Winningham.
Reader.	Young.
Reed of Bowie.	

## Absent

Barron.	Johnson
Butler.	of Dimmit.
Caven.	McGregor.
Cowley.	McKee.
Crossley.	Morrison.
Dunagan.	Nicholson.
Engelhard.	Ramsey.
Harman.	Ray.
Harrison.	Riddle.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Hodges.	Steward.
Johnson	
of Anderson.	

## Absent—Excused

Anderson.	Holloway.
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CONFERENCE COMMITTEE ON  
SENATE BILL NO. 78

On motion of Mr. Latham, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 78.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Latham, Van Zandt, Moffett, Steward, and Good.

TO SUSPEND CERTAIN JOINT  
RULE

Mr. Celaya offered the following resolution:

H. C. R. No. 69, To suspend certain Joint Rule.

Be it resolved by the House of Representatives, the Senate concurring, That Rule XI, of the Joint Rules of both Houses, be, and is hereby, suspended, so as to allow the House to take up and consider, until finally passed, Senate Bill No. 111.

The resolution was read second time, and was adopted.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 83, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe, fawn, wild turkey, or pheasant for a period of five (5) years in the County of Erath, State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, wild turkey, or pheasant for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

The Senate has adopted

H. C. R. No. 61, Suspension of Joint Rule XI, so as to consider and finally pass Senate Bill No. 65.

H. C. R. No. 31, Granting Walter Strickland permission to sue the State of Texas and/or the Highway Commission.

S. C. R. No. 31, Suspension of Joint Rule XI, so as to allow consideration, until finally passed, Senate Bill No. 73.

H. C. R. No. 40, Directing and instructing the Commissioner of Labor, with reference to House Bill No. 832, Chapter 241, Acts of Regular Session of Forty-third Legislature.

H. C. R. No. 36, Relative to matron for Goree State Farm.

The Senate has granted the request of the House for a conference committee on House Bill No. 121. The following have been appointed on the part of the Senate: Senators Moore, Beck, Redditt, Woodruff, and Murphy.

The Senate has granted request of the House for a conference committee on House Bill No. 88. The following have been appointed on the part of the Senate: Senators Woodruff, Beck, Collie, Neal, and Murphy.

The Senate has adopted conference committee report on Senate Bill No. 46 by the following vote: Yeas, 26; nays, 3.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.



# TO SUSPEND CERTAIN JOINT RULE

Mr. Wells offered the following resolution:

H. C. R. No. 70, To suspend certain Joint Rule.

Whereas, The end of the Session is immediately at hand and the Twenty-four-hour Rule is in effect; and

Whereas, Senate Bill No. 108 is an important piece of legislation, and should be considered; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Rule XI of the Joint Rules of the House and Senate, be, and it is hereby, suspended, until the final disposition of Senate Bill No. 108.

The resolution was read second time, and was lost.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 54 by the following vote: Yeas, 29; nays, 2.

The Senate has granted the request of the House for a conference committee on House Bill No. 199. The following have been appointed on the part of the Senate: Senators Collie, Pace, Beck, Sanderford, and Small.

The Senate has granted the request of the House for a conference committee on House Bill No. 161. The following have been appointed on the part of the Senate: Senators Small, Sanderford, Regan, Collie, and Duggan.

The Senate has adopted conference committee report on House Bill No. 199 by the following vote: Yeas, 30; nays, 1.

The Senate has granted the request of the House for a conference committee on House Bill No. 112. The following have been appointed on the part of the Senate: Senators Woodul, Murphy, Rawlings, Poage, and Regan.

The Senate has passed

H. B. No. 176, A bill to be entitled "An Act making an appropriation to pay deficiencies and bills for the Adjutant General's Department out of the General Fund; authorizing payments of such claims on the taking effect of this Act."

The Senate has adopted the conference committee report on Senate Bill No. 46 by the following vote: Yeas, 26; nays, 3.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

## CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 54

Mr. Harman submitted the following conference committee report on House Bill No. 54:

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on House Bill No. 54, have had the same under consideration, and beg leave to report that we recommend that said bill do pass in form and substance as submitted herewith:

"H. B. No. 54,

### A BILL

#### To Be Entitled

An Act amending Article 6032, Title 102, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts Forty-second Legislature, First Called Session, and Chapter 162, Acts Forty-third Legislature; appropriating the proceeds of the tax derived by the provisions of Article 6032 to the Railroad Commission of Texas for the enforcement of the oil and gas laws of this State; authorizing the Railroad Commission to employ such other help, whether executive, expert, clerical or in the fields, and to incur such other expenses as are necessary to enforce the conservation laws of this State relating to oil and gas and the orders of the Commission promulgated pursuant thereto; amending the appropriation for Oil and Gas Division of the Railroad Commission as contained in House Bill No. 167, Chapter 166, General Laws of Texas, Forty-third Legislature, Regular Session, 1933, page 497; amending Section 5, Chapter 26, Acts, Forty-second Legislature, First Called Session; levying a tax

of  $\frac{1}{8}$  of 1 cent per barrel of forty-two standard gallons of crude petroleum produced within this State; further amending provisions of House Bill No. 167, Chapter 166, of the Regular Session of the Forty-third Legislature in 1933, providing qualifications of employees; and regulating expenses and receipts of same; and further authorizing additional employees to be paid out of said tax after payment of all amounts appropriated in the General Appropriation Bill for the support of the Oil and Gas Division, fixing their salaries and limiting the number; providing that if any portion of this Act be held unconstitutional it shall not affect the remaining sections, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 6032, Title 102, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts Forty-second Legislature, First Called Session, and Chapter 162, Acts Forty-third Legislature, is hereby amended so that the same shall hereafter read as follows:

"Article 6032. There is hereby levied a tax of one-eighth of one cent per barrel of forty-two standard gallons of crude petroleum produced within this State, which shall be in addition to and collected in the same manner as the present gross receipts production tax on crude petroleum. Producers of crude petroleum are hereby required to make reports of production in the same manner and under the same penalties as for the gross production tax. The tax thus collected shall be paid into the State Treasury as other revenues and shall be paid out on warrants as other funds. The funds derived from this tax shall be used for the administration of the conservation laws of this State relating to oil and gas and such funds are hereby appropriated to the use of the Oil and Gas Division of the Railroad Commission of Texas."

Sec. 2. It is hereby expressly declared to be the intent of the Legislature that the funds appropriated to the Oil and Gas Division of the Railroad Commission of Texas by the General Appropriation Act of the Forty-third Legislature, being Chap-

ter 166 of the Acts of that Legislature, shall be paid out of the funds derived from the tax levied by this Article, if such funds are sufficient, and otherwise out of the General Revenue. In the event that there is an excess of the tax over and above the amount of money appropriated to said Oil and Gas Division of the Railroad Commission of Texas, the Railroad Commission, as specifically provided herein, is empowered to spend said excess in performing its duties in carrying into effect the conservation laws of this State relating to oil and gas.

Sec. 3. The Railroad Commission of Texas is hereby authorized and directed, in addition to the employees specifically provided for by the General Appropriation Act of the Regular Session of the Forty-third Legislature for the Oil and Gas Division of the said Commission, to employ not to exceed the following personnel: Not to exceed nineteen (19) chief gaugers at a salary of not exceeding \$1,380 per year each; not to exceed twenty (20) inspectors and investigators at a salary of not exceeding \$1,900 per year each; not to exceed six (6) bookkeepers at a salary of not exceeding \$1,380 per year each; not to exceed six (6) stenographers at a salary not exceeding \$1,200 per year each; not to exceed eight (8) statistical and filing clerks at a salary of not exceeding \$1,320 per year each; not to exceed two (2) deputy supervisors at a salary of not exceeding \$2,400 per year each; not to exceed one (1) law enforcement investigator at a salary of not exceeding \$2,400 per year; it is expressly provided that these additional positions are authorized only in the event that the funds provided for herein are sufficient to provide for such additional employees out of said funds after providing for the payment of those employees authorized for the Oil and Gas Division in the General Appropriation Bill, and none of the additional employees as set out herein are to be paid out of the General Revenue of the State.

Sec. 4. Any surplus remaining at the end of the present fiscal biennium in the funds derived from said tax over and above the amount expended by the Railroad Commission in carrying out its duties in connection with the oil and gas laws of this State shall become a part of the General Revenue of the State.

Sec. 5. That Section 5, Chapter 26, Acts of Forty-second Legislature, First Called Session, be, and the same is hereby, amended so that it shall hereafter read as follows:

"Sec. 5. The Commission shall have the power and it shall be its duty from time to time to inquire into the production, storage, transportation, measurement, or refining of crude petroleum oil and of natural gas, in order to determine whether or not waste exists or whether the conservation laws of Texas or the orders of the Railroad Commission are being violated. The Commission shall have the right to require any producer, storer, transporter, and refiner of crude oil or of natural gas to keep such accurate records and to make and file with the Commission sworn statements or reports as to facts within the knowledge or possession of such persons or companies pertaining to the production, storage, transportation, measurement, or refining of crude petroleum oil or natural gas, and may require any well, tank, or storage, or gathering line under the control of any such person or company to be inspected, or gauged, or equipped with meter or measuring device whenever and as often and for such periods as the Commission may specify; and the Commission and its agents may likewise examine the books and records of any such person or company. The Commission shall also have the power to require any refiner of crude oil to equip the pipe line or lines leading into the plant of such refiner through which crude oil is transported to such plants with meter or measuring device satisfactory to the Commission and such refiner is hereby required to keep such meter or measuring device in good working order, to operate the same as may be directed by the Commission and to make reports of the measurement of oil by such meter in the manner and form required by the Commission."

Sec. 6. It is hereby provided that none of the moneys herein appropriated shall be used to employ any person who is not a citizen of the United States unless and except such person has been employed by the State for a period of six (6) months prior to the effective date of this Act. The provision of House Bill No. 167, Chapter 166, of the Acts of the Regular Session of the Forty-third Leg-

islature, 1933, providing the following: "It is hereby provided that none of the moneys herein appropriated shall be paid to any person who is not a citizen of the United States," is hereby expressly repealed.

Sec. 6-a. The provision in House Bill No. 167, Chapter 166, General Laws of Texas, Forty-third Legislature, Regular Session, 1933, providing on page 511 the following: "It being specifically provided that the employes shall obtain receipts for all amounts expended, and shall file said receipts with their expense accounts, . . ." is hereby expressly repealed.

Sec. 7. It is specifically provided that the tax herein levied is hereby appropriated for the support of the Oil and Gas Division of the Railroad Commission, as contained in the General Appropriation Bill, which is House Bill No. 167, Chapter 166, of the Acts of the Regular Session of the Forty-third Legislature, 1933, and after the payment of the amounts appropriated therein the excess only may be used by the Railroad Commission to employ additional employes and incur additional expenses as provided for herein.

Sec. 8. If any section, subsection, sentence, clause, or phrase of this Act is held, for any reason, to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, and clause and phrases thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Sec. 9. The fact that the Forty-third Legislature, at its Regular Session, inadvertently failed to appropriate the proceeds of this tax to the Oil and Gas Division of the Railroad Commission of Texas, when the tax is in fact levied for the support of such Division, and the fact that the Railroad Commission at this time does not have sufficient employes to adequately enforce the conservation laws of this State with reference to oil and gas, and the fact that the Railroad Commission, under court decisions, does not, at this time, have jurisdiction over refineries, create an emergency and an imperative public

necessity that the constitutional rule, requiring bills to be read on three several days in each House, be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

REDDITT,  
PACE,  
PURL,

On the part of the Senate;

HARMAN,  
METCALFE,  
LONG,  
WALKER,  
WOOD,

On the part of the House.

On motion of Mr. Harman, the report was adopted by the following vote:

Yeas—108

Adamson.	Hill of Brazoria.
Aikin.	Hill of Webb.
Alexander.	Hodges.
Alsup.	Hoskins.
Baker.	Huddleston.
Barrett.	Hughes.
Barron.	Hunt.
Beck.	Hunter.
Bedford.	Hyder.
Bourne.	Jackson.
Bradley.	James.
Burns.	Jones of Atascosa.
Calvert.	Jones of Runnels.
Camp.	Jones of Shelby.
Canon.	Kayton.
Caven.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Clayton.	Laird.
Colson.	Lemens.
Crossley.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dunagan.	Mackay.
Dwyer.	Magee.
Engelhard.	Mathis.
Fain.	McClain.
Few.	McCullough.
Fisher.	McDougald.
Ford.	Metcalf.
Fuchs.	Mitcham.
Glass.	Moore.
Golson.	Morrison.
Goodman.	Morse.
Greathouse.	Munson.
Griffith.	Palmer.
Hankamer.	Parkhouse.
Harman.	Patterson.
Harris.	Pavlica.
Head.	Pope.
Hicks.	Ratliff.

Reed of Bowie.	Stanfield.
Reed of Dallas.	Stinson.
Renfro.	Stovall.
Roberts.	Stubbeman.
Rogers of Hunt.	Sullivant.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Thomas.
Ross.	Townsend.
Russell.	Vaughan.
Savage.	Wagstaff.
Scarborough.	Walker.
Scott.	Winningham.
Shannon.	Wood.
Smith.	

Nays—1

Coombes.

Absent

Butler.	Latham.
Cathey.	Leonard.
Celaya.	McGregor.
Cowley.	McKee.
Dean.	Merritt.
Devall.	Moffett.
Dunlap.	Nicholson.
Duvall.	Puryear.
Good.	Ramsey.
Graves.	Ray.
Harrison.	Reader.
Hartzog.	Riddle.
Hester.	Shults.
Holekamp.	Steward.
Holland.	Tillery.
Jefferson.	Turlington.
Johnson	Van Zandt.
of Anderson.	Weinert.
Johnson	Wells.
of Dimmit.	Young.

Absent—Excused

Anderson. Holloway.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 199

Mr. Wagstaff submitted the following conference committee report on House Bill No. 199:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

H. B. No. 199, A bill to be entitled "An Act amending Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-third Legislature, Chapter 100, so as to per-

mit the use of natural gas for repressuring, and declaring an emergency."

Having considered the differences between the two Houses, and having reached an agreement, we have agreed to report that the hereto attached completed bill is the bill which we recommend to be passed by both Houses.

We recommend the adoption of this report, and the final passage by both Houses of the bill attached hereto:

"H. B. No. 199,

### A BILL

### To Be Entitled

An Act amending Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Section 2, Chapter 26, Acts of the Forty-second Legislature, First Called Session, and Section 1, Chapter 100, Acts of the Forty-third Legislature, Regular Session, prohibiting the waste of gas by escape, and requiring the confinement thereof under terms and conditions of said Article; providing that gas from wells produced from a common reservoir consisting of more than three hundred thousand acres, where the owner has no reasonable market available, may be utilized for purposes other than light and fuel to the extent of twenty-five per cent (25%) of the open flow, and that such utilization shall not constitute waste; authorizing the use of gas for the purpose of being introduced into an oil or gas-bearing stratum for repressuring, and for any purpose found by the Commission to be conducive to the public welfare; fixing a penalty for violation thereof, and providing means for recovering such penalty, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Section 2, Chapter 26, Acts of the First Called Session, Forty-second Legislature, and Section 1, Chapter 100, Acts of the Regular Session, Forty-third Legislature, is hereby amended so that said Section 1, of Chapter 100, Acts of the Regular Session, Forty-third Legislature, shall hereafter read as follows:

"Article 6008. Any person, firm, or corporation, in possession, as owner, lessee, agent, trustee, receiver, or manager, or any person, co-partnership, or corporation, in possession of any well producing natural gas only, in order to prevent said gas from wasting by escaping, shall, within ten (10) days after encountering such gas, confine said gas in said well until said gas shall be utilized for light or fuel; provided, that in all common reservoirs or pools consisting of more than three hundred thousand (300,000) acres, where gas is encountered for which there is no reasonable market for light or fuel available to the owner, the same may be utilized for other purposes, including the manufacture of natural gasoline, to the extent of twenty-five per cent (25%) of the open flow of the well producing such gas, and under such circumstances, such utilization for purposes other than light and fuel shall not constitute waste; and provided further, that the Commission may permit the use of gas from any well producing natural gas only for the purpose of being introduced into an oil or gas-bearing stratum in order to maintain or increase the rock pressure or otherwise increase the ultimate recovery of oil or gas from such stratum, and for any other purpose which under circumstances surrounding each particular case might be found by the Commission after hearing to be practical and conducive to the public welfare. Any person violating the provisions of this Article shall be liable to a penalty of one thousand dollars (\$1,000) for each day such offense is committed, to be recovered with the costs of suit in a civil action instituted by the Attorney General in the name of the State of Texas in Travis County, and each day such violation continues, shall be a separate and distinct offense and for which the party in violation continues, shall be a separate and distinct offense and for which the party in violation shall be held liable for the penalty herein prescribed."

Sec. 2. The fact that Chapter 100, Acts of the Forty-third Legislature, omitted by mistake the clause permitting the use of natural gas for repressuring, and that such use should be permitted in order to prevent waste of oil and gas, create an emergency, and an imperative public necessity, demanding the suspension of the con-

stitutional rule, requiring bills to be read on three separate days in each House, and the said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

COLLIE,  
PACE,  
BECK,  
SANDERFORD,  
SMALL,

On the part of the Senate;

WAGSTAFF  
STANFIELD,  
LINDSEY,  
JONES,  
RATLIFF,

On the part of the House.

On motion of Mr. Wagstaff, the report was adopted by the following vote:

Yeas—105

Adamson.	Hill of Webb.
Aikin.	Hodges.
Alexander.	Hoskins.
Alsup.	Huddleston.
Baker.	Hughes.
Barrett.	Hunter.
Barron.	Hyder.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Bradley.	Jones of Atascosa.
Burns.	Jones of Runnels.
Camp.	Kayton.
Canon.	Kyle of Hays.
Chastain.	Laird.
Clayton.	Latham.
Coombes.	Lemens.
Crossley.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Mackay.
Devall.	Magee.
Dunagan.	Mathis.
Dwyer.	McClain.
Engelhard.	McCullough.
Fain.	McDougald.
Few.	Merritt.
Fisher.	Mitcham.
Ford.	Moore.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Parkhouse.
Goodman.	Patterson.
Graves.	Pavlica.
Griffith.	Pope.
Harris.	Puryear.
Head.	Ratliff.
Hicks.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.

Renfro.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Russell.  
Savage.  
Scarborough.  
Scott.  
Shannon.  
Smith.  
Stanfield.

Stinson.  
Stovall.  
Stubbeman.  
Sullivant.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Wagstaff.  
Walker.  
Weinert.  
Wells.  
Wood.  
Young.

Nays—1

Greathouse.

Absent

Butler.	Jones of Shelby.
Calvert.	Kyle of Palo Pinto.
Cathey.	Leonard.
Caven.	McGregor.
Celaya.	McKee.
Colson.	Metcalfe.
Cowley.	Moffett.
Dunlap.	Morrison.
Duvall.	Nicholson.
Good.	Palmer.
Hankamer.	Ramsey.
Harman.	Ray.
Harrison.	Reader.
Hartzog.	Riddle.
Hester.	Shults.
Holekamp.	Steward.
Holland.	Townsend.
Hunt.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Johnson	Winningham.
of Dimmit.	

Absent—Excused

Anderson. Holloway.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 146

Mr. Dunagan submitted the following conference committee report on House Bill No. 146:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

H. B. No. 146, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in

counties with a population of not less than 22,296 nor more than 22,580 inhabitants, according to the last Federal Census, and providing for the manner and the fund from which said salaries shall be paid, repealing all laws in conflict herewith, and declaring an emergency,"

Report that we have considered the differences between the two Houses, and, having reached an agreement, do report that the heretofore attached completed bill is the bill which we recommended to be passed by both Houses.

We recommend the adoption of this report and the final passage by both Houses of the bill hereto attached:

"H. B. No. 146,

### A BILL

#### To Be Entitled

An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 22,296 nor more than 22,580 inhabitants, according to the last Federal Census, and to fix the salaries and compensation of county commissioners in counties with a population of not less than 9,962 nor more than 10,000 inhabitants, according to the last Federal Census as to population; and providing for the manner and the fund from which said salaries shall be paid, repealing all laws in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas.

Section 1. That the salaries and compensation of each of the county commissioners in counties with a population of not less than 22,296 nor more than 22,580 inhabitants, according to the last Federal Census as to population, shall be one thousand and eight hundred dollars (\$1,800) per annum, payable in equal monthly installments of one hundred and fifty dollars (\$150) per month.

Sec. 2. That the salaries and compensation of each of the county commissioners in counties with a population of not less than 9,962 nor more than 10,000 inhabitants, according to the last Federal Census, as to population, shall be five dollars (\$5) per day for each day served

as commissioner and when acting as ex-officio road superintendent in his precinct, the total salary, however, not to exceed the sum of one thousand dollars (\$1,000) in any one year for each commissioner.

Sec. 3. The salaries hereinabove stipulated shall be paid at least one-half out of the road and bridge fund of the county, but not more than 75 per cent of said salary shall be paid out of said road and bridge fund, and the remainder of said salary shall be paid out of the general fund of the county.

Sec. 4. All laws and parts of laws in conflict herewith are hereby specially repealed.

Sec. 5. The fact that under a certain bill passed by the Regular Session of the Forty-third Legislature, fixing the salaries of county commissioners, is uncertain in its terms as to certain counties, and the fact that the remaining days of the Special Session are limited, and the calendar is already crowded, create an emergency and a public necessity requiring that the constitutional rule, providing that bills shall be read on three several days in each House, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

PACE,  
WOODUL,  
BECK,  
HORNSBY,

On the part of the Senate.

DUNAGAN,  
LATHAM,  
McCLAIN,  
SCOTT,  
DEAN,

On the part of the House.

On motion of Mr. Dunagan, the report was adopted by the following vote:

Yeas—110

Adamson.	Bedford.
Aikin.	Bourne.
Alexander.	Bradley.
Alsup.	Burns.
Baker.	Camp.
Barrett.	Canon.
Barron.	Celaya.
Beck.	Chastain.

Clayton.	McClain.
Colson.	McCullough.
Coombes.	McDougald.
Crossley.	Merritt.
Daniel.	Mitcham.
Devall.	Moffett.
Dunagan.	Moore.
Duvall.	Morrison.
Dwyer.	Morse.
Engelhard.	Munson.
Fain.	Palmer.
Fisher.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Puryear.
Good.	Ratliff.
Goodman.	Reed of Bowie.
Graves.	Reed of Dallas.
Greathouse.	Renfro.
Hankamer.	Riddle.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rogers
Hill of Webb.	of Ochiltree.
Hodges.	Rollins.
Huddleston.	Ross.
Hughes.	Russell.
Hunt.	Savage.
Hunter.	Scarborough.
Hyder.	Scott.
Jackson.	Shannon.
James.	Smith.
Jefferson.	Stanfield.
Johnson	Stinson.
of Dimmit.	Stovall.
Jones of Atascosa.	Stubbeman.
Jones of Runnels.	Sullivant.
Kyle of Hays.	Tarwater.
Latham.	Thomas.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lindsey.	Walker.
Long.	Weinert.
Lotief.	Wells.
Mackay.	Winningham.
Magee.	Wood.
Mathis.	Young.

## Present—Not Voting

Tillery.

## Absent

Butler.	Hill of Brazoria.
Calvert.	Holekamp.
Cathey.	Holland.
Caven.	Hoskins.
Cowley.	Johnson
Davidson.	of Anderson.
Dean.	Jones of Shelby.
Dunlap.	Kayton.
Few.	Kyle of Palo Pinto.
Griffith.	Laird.
Harman.	McGregor.
Harrison.	McKee.
Hester.	Metcalf.
Hicks.	Nicholson.

Ramsey.	Tennyson.
Ray.	Townsend.
Reader.	Turlington.
Shults.	Van Zandt.
Steward.	

## Absent—Excused

Anderson.	Holloway.
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## CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 112

Mr. Sullivant submitted the following conference committee report on House Bill No. 112:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

H. B. No. 112, A bill to be entitled "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency,"

Having considered the differences between the two Houses, and having reached an agreement, beg leave to report that the hereto attached completed bill is the bill which we recommend to be passed by both Houses. The bill is substantially the same as the original House bill, with Senate amendment.

We recommend the adoption of this report, and the final passage by both Houses of the attached bill:

"H. B. No. 112,

## A BILL

## To Be Entitled

An Act amending Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature; providing for the operation in this State of motor



vehicles owned by non-residents and registered under the laws of another State or county, relative to the registration of motor vehicles, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 2, House Bill No. 83, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Senate Bill No. 85, Chapter 27, Acts of the Regular Session of the Forty-second Legislature, be, and the same is hereby, amended so as to hereafter read as follows:

"Sec. 2. A non-resident owner of a motor vehicle, trailer, or semi-trailer, which has been duly registered for the current year in the State or country of which the owner is a resident, and in accordance with the laws thereof, may, in lieu of registering such vehicle as otherwise required by law, apply to the State Highway Department through a county tax collector for the registration thereof, as provided in this Act, except that the privileges granted, as otherwise provided for in this Act, shall not apply to any motor vehicle, trailer, or semi-trailer operated within this State for the transportation of persons or property for compensation or hire. Provided, however, that motor vehicles properly licensed in another State or country operated for compensation or hire may be allowed to make not to exceed two trips during any calendar month, and remain on each of said trips within the State not to exceed four days, without being registered in this State, in the event that under the laws of such other State or country like exceptions are granted to motor vehicles registered under the laws of and owned by residents of this State."

Sec. 2. The crowded condition of the calendar and the fact that the Session is rapidly drawing to a close, creates an emergency and an imperative public necessity for the suspension of the constitutional rule, requiring bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall

take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

MURPHY,  
WOODUL,  
RAWLINGS,  
POAGE,  
REGAN,

On the part of the Senate;

SULLIVANT,  
ALEXANDER,  
HARRIS,  
WOOD,  
ROLLINS,

On the part of the House.

On motion of Mr. Sullivant, the report was adopted by the following vote:

Yeas—105

Adamson.	Hunter.
Aikin.	Hyder.
Alexander.	Jackson.
Alsup.	James.
Baker.	Jefferson.
Barrett.	Johnson
Barron.	of Dimmit.
Beck.	Jones of Atascosa.
Bedford.	Jones of Runnels.
Bourne.	Kyle of Hays.
Burns.	Latham.
Camp.	Lemens.
Canon.	Lindsey.
Celaya.	Long.
Chastain.	Lotief.
Clayton.	Mackay.
Coombes.	Magee.
Crossley.	Mathis.
Daniel.	McClain.
Davidson.	McCullough.
Dean.	Merritt.
Devall.	Metcalfe.
Duvall.	Mitcham.
Dwyer.	Moore.
Engelhard.	Morrison.
Fain.	Morse.
Few.	Munson.
Fisher.	Parkhouse.
Ford.	Patterson.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Puryear.
Goodman.	Ratliff.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Hankamer.	Renfro.
Harris.	Riddle.
Head.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rogers
Huddleston.	of Ochiltree.
Hughes.	Rollins.
Hunt.	Ross.

Russell.	Tillery.
Savage.	Turlington.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Stinson.	Winningham.
Stovall.	Wood.
Stubbeman.	Young.
Sullivan.	

## Absent

Bradley.	Jones of Shelby.
Butler.	Kayton.
Calvert.	Kyle of Palo Pinto.
Cathey.	Laird.
Caven.	Leonard.
Colson.	McDougald.
Cowley.	McGregor.
Dunlap.	McKee.
Dunagan.	Moffett.
Good.	Nicholson.
Griffith.	Palmer.
Harman.	Ramsey.
Harrison.	Ray.
Hartzog.	Reader.
Hester.	Shults.
Hicks.	Steward.
Hill of Webb.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hoskins.	Townsend.
Johnson	Van Zandt.
of Anderson.	

## Absent—Excused

Anderson.	Holloway.
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## CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 10

Mr. Vaughan submitted the following conference committee report on House Bill No. 10:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and Senate on House Bill No. 10, beg leave to submit the following report:

We have had House Bill No. 10 under consideration, and recommend the adoption of the attached bill, as rewritten by your conference committee:

"H. B. No. 10,

## A BILL

## To Be Entitled

An Act providing that in all suits, actions, or prosecutions under Title 126, Revised Civil Statutes of 1925, or Title 19, Penal Code of Texas, 1925, it shall be a defense for the persons, firms, corporations, or associations of persons, or either one or more of them, whether they occupy the position of plaintiff or defendant so sued or prosecuted, to show that they are operating within the provisions, terms, and conditions of a code legally approved by the President of the United States under the terms of the National Industrial Recovery Act; providing that nothing in this Act shall be construed or held to affect pending litigation or destroy rights of the State to recover penalties or fines from any person, firm, association of persons, or corporations, nor to prohibit the State from forfeiting the charter of any domestic corporation or the license or permit of any foreign corporation to do business in this State for any acts done or committed, or for any practice performed or any agreements entered into which are not subject to the defense herein created and authorized; providing for the duration and termination of this Act; providing that any contract or agreement which would be contrary to either Title 126, Revised Civil Statutes of 1925, or Title 19, Revised Penal Code of 1925, or any part of either title, as such exists at the time of the passage of this Act, shall be absolutely void and not enforceable if such contract or agreement extends beyond the expiration date of this Act; providing that nothing herein shall be construed in any way to repeal or suspend Title 126, Revised Civil Statutes of 1925, or Title 19, Penal Code of Texas of 1925, or any part of either of such titles, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. In all suits, actions, or prosecutions, civil or criminal, wherein it is alleged or charged that any act, trade practice, or agreement is in violation of the provisions of either Title 126, Revised Civil Statutes of

Texas of 1925, or any Article under said Title, or of Title 19, Penal Code of Texas, 1925, or any Article under said Title, it shall be a defense for the persons, firms, corporations, or associations of persons, or either one or more of them, whether they occupy the position of plaintiff or defendant so sued or prosecuted, to establish that at the time of the commission of such act, and at the time said trade practice or agreement was agreed upon or entered into, such act, trade practice, or agreement was legally authorized under and by virtue of a code of fair competition, agreement, or license affecting interstate or intrastate commerce, or both, approved by the President of the United States, under the terms of the National Industrial Recovery Act, for the particular industry in which such person, firm, corporation, or association of persons, or either one or more of them, is engaged. Provided, however, that nothing in this Act shall be construed or held to affect, in any manner, pending litigation or to destroy any rights of the State of Texas to recover fines or penalties, civil or criminal, whether sued for or not, from any person, firm, corporation, or association of persons, or to prohibit the State from forfeiting the charter of any domestic corporation or the license or permit of any foreign corporation to do business in this State, or from enforcing any right or remedy given under Title 126, Revised Civil Statutes of 1925, or Title 19, Penal Code of 1925, for any act done or committed or for any practices performed or agreements entered into unless the same was done, performed, agreed upon, or entered into after the adoption and approval by the President of a code of fair practice under the terms of the National Industrial Recovery Act, authorizing and legalizing the particular act, trade practice, or agreement for the particular industry in which such person, firm, corporation, or association of persons is engaged.

Sec. 2. This Act shall cease to be in effect on and after June 16, 1935.

Sec. 3. If, as provided in Paragraph C, of Section 2, Title 1, of the National Industrial Recovery Act, the President shall, by proclamation, or the Congress of the United States shall, by joint resolution or bill, declare that the National emergency recognized by the National Industrial

Recovery Act has ended, or the National Industrial Recovery Act is finally adjudged unconstitutional, then this Act shall cease to be in effect on and after the date of such proclamation, or Congressional declaration, or judicial decree. If, however, the provisions of this Section should for any reason be held to be invalid and unconstitutional, then, and in such event, it is again provided that this Act shall cease to be in effect on and after June 16, 1935.

Sec. 4. Any contract, trade practice, or agreement of any kind or character whatsoever entered into or agreed upon, the terms of which are authorized under and by virtue of a code of fair competition, agreement, or license, as provided under the National Industrial Recovery Act, but which are, or would be, contrary to either Title 126, Revised Civil Statutes of Texas, 1925, or Title 19, Penal Code of Texas, 1925, or any part of either Title as such exist at the time of the passage of this Act, shall be absolutely void and unenforceable either in law or in equity if the performance of such contract or agreement extends beyond the expiration date of this Act, to wit, June 16, 1935; and the defense set forth in Section 1 hereof shall not be available thereto in either civil or criminal actions or suits. If the contract, trade practice, or agreement entered into or agreed upon is in violation of either Title 126 or Title 19, supra, or any part of either of said Titles, and is not authorized under and by virtue of a code of fair competition, agreement, or license, as provided under the National Industrial Recovery Act, said contract or agreement shall be absolutely void and unenforceable from its inception.

The defense afforded by this Act shall not be available unless, within thirty days after the approval by the President of any code, code agreement, or the issuance of any proclamation by the President, there is filed in the office of the Attorney General, at Austin, Texas, a certified copy of the code, code agreement, or proclamation containing the trade agreement, trade practice, and/or code agreement authorizing the particular act, trade practice, or trade agreement, upon which said person relies as a defensive fact as authorized by this Act.

Sec. 5. Nothing in this Act shall be construed in any way to repeal or

suspend Title 126, Revised Civil Statutes of Texas, 1925, or Title 19, Penal Code of Texas, 1925, or any part of either such Titles.

Sec. 6. The fact that there now exists in this State and throughout the United States a widespread condition of unemployment and a state of unrest, and the fact that this State desires to co-operate as far as possible with the Federal Government for the preservation of the general welfare of the people, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

WOODWARD,  
WOODUL,  
DEBERRY,  
ONEAL,

On the part of the Senate;

VAUGHAN,  
DUVALL,  
HANKAMER,  
COOMBES,  
CAMP,

On the part of the House.

Mr. Vaughan moved that the report be adopted.

Mr. Bradley moved that the House refuse to adopt the report, and request the appointment of a new conference committee to adjust the differences between the House and Senate.

Question first recurring on the motion by Mr. Bradley, it was lost.

Question next recurring on the motion by Mr. Vaughan, it prevailed by the following vote:

Yeas—104

Adamson.	Crossley.
Aikin.	Dean.
Alexander.	Dunlap.
Alsup.	Duvall.
Baker.	Engelhard.
Barrett.	Fain.
Barron.	Few.
Bedford.	Fisher.
Bourne.	Ford.
Bradley.	Fuchs.
Camp.	Glass.
Canon.	Golson.
Chastain.	Goodman.
Clayton.	Graves.
Colson.	Griffith.

Hankamer.	Morrison.
Harris.	Morse.
Hartzog.	Munson.
Head.	Parkhouse.
Hicks.	Patterson.
Hill of Webb.	Pavlica.
Hodges.	Pope.
Huddleston.	Ratliff.
Hughes.	Reader.
Hunt.	Reed of Bowie.
Hunter.	Reed of Dallas.
Hyder.	Renfro.
Jackson.	Riddle.
James.	Roberts.
Jefferson.	Rogers of Ochiltree.
Johnson	Ross.
of Dimmit.	Russell.
Jones of Atascosa.	Savage.
Jones of Runnels.	Scarborough.
Jones of Shelby.	Shannon.
Kayton.	Smith.
Kyle of Hays.	Stanfield.
Kyle of Palo Pinto.	Stinson.
Latham.	Stovall.
Lemens.	Stubbeman.
Leonard.	Sullivan.
Long.	Tarwater.
Lotief.	Tennyson.
Mackay.	Thomas.
Magee.	Tillery.
Mathis.	Turlington.
McClain.	Vaughan.
McCullough.	Wagstaff.
McDougald.	Walker.
McGregor.	Weinert.
Merritt.	Wells.
Moffett.	Young.
Moore.	

Nays—17

Beck.	Lindsey.
Burns.	Metcalfe.
Cathey.	Mitcham.
Coombes.	Puryear.
Daniel.	Rogers of Hunt.
Devall.	Rollins.
Greathouse.	Scott.
Hester.	Winningham.
Holekamp.	

Absent

Butler.	Johnson
Calvert.	of Anderson.
Caven.	Laird.
Celaya.	McKee.
Cowley.	Nicholson.
Davidson.	Palmer.
Dunagan.	Ramsey.
Dwyer.	Ray.
Good.	Shults.
Harman.	Steward.
Harrison.	Townsend.
Hill of Brazoria.	Van Zandt.
Holland.	Wood.
Hoskins.	

Absent—Excused

Anderson.	Holloway.
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## CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 179

Mr. Engelhard submitted the following conference committee report on House Bill No. 179:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee appointed to adjust the differences between the two Houses on House Bill No. 179, take leave to submit the attached bill with the recommendation that it do pass:

"H. B. No. 179,

## A BILL

## To Be Entitled

An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the funds of the State Highway Department; and authorizing payment of said miscellaneous claims on the taking effect of this Act."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby, appropriated to pay miscellaneous claims against the State of Texas, as herein enumerated:

## To Be Paid Out of the General Fund

To pay Charles C. Bassett, independent executor and sole legatee of the estate of George D. Flory, deceased, refund account overpayment of inheritance tax.....	\$ 1,659.63
To pay Pool Manufacturing Company of Sherman, Texas, account overpayment of franchise tax.....	552.40
To pay J. C. Hillsman Estate, overpayment of taxes on land located in Matagorda County, Texas.....	55.30
To pay R. S. & J. B. Windham, overpayment of taxes on land located in Matagorda County, Texas.....	77.76
To pay Mrs. J. T. Diseker, peddlers license tax.....	15.00
To pay Mike Maltz, witness fees.....	6.00
To pay Burroughs Adding Machine Company, servicing adding machines .....	18.36
To pay Higginbotham-Bailey-Logan Company of Dallas, account overpayment of franchise tax.....	1,590.62
To pay First Texas Chemical Company of Dallas, account overpayment of franchise tax.....	321.38
To pay Texas Loan Company of El Paso, occupation tax.....	150.00
To pay Reliable Loan Company of Fort Worth, occupation tax .....	150.00
To pay tax collector of Houston County, Texas, taxes on State-owned prison lands located in Houston County, Texas.....	2,537.70
To pay Oliphant Motor Company of Huntsville, Texas, general auto and truck repairs.....	371.24
To pay Knappe Printing Company of Austin, Texas, account printing and supplies.....	469.60
To pay City of Brownsville, Texas, refund of gasoline tax.....	1,090.72
To pay Guy L. Peyton, on Treasury Department check No. 2345 (Land Account), dated October 8, 1923.....	35.20
To pay Yellow Transit Company, remission of fine, account overloading truck .....	100.00
To pay J. G. Shanklin, account taxes on excess acreage assessed in Burleson County.....	300.84
To pay Jesse Garrett, account taxes on excess acreage assessed in Burleson County.....	59.23

To pay J. Earl Porter, account taxes on excess acreage assessed in Burleson County .....	65.03
To pay W. R. A. Rogers, account taxes on excess acreage assessed in Burleson County.....	159.76
To pay Mrs. Sarah Philp, account taxes on excess acreage assessed in Burleson County.....	41.39
To pay the following members of the State Board of Health for expenses in attending board meeting on March 13, 1933:	
Dr. A. A. Ross.....	24.00
J. M. Howe.....	56.75
Dr. C. M. Rosser.....	56.90
J. M. Spoonts.....	91.92
Dr. J. M. Fraser.....	47.95
Dr. John W. Burns.....	55.35
To pay F. W. Woolworth Company, account overpayment of franchise tax .....	1,398.00
To pay Wrought Iron Range Company, account overpayment of franchise tax .....	5,352.00
To pay Fidelity National Bank & Trust Company, account overpayment of franchise tax.....	1,922.00
To pay Wilson & Company, account overpayment of franchise tax .....	1,407.00
To pay Willys-Overland, Inc., account overpayment of franchise tax .....	212.80
To pay Louis Werner Stave Company, account overpayment of franchise tax .....	2,098.35
To pay Albert Weiblen Marble & Granite Works, account overpayment of franchise tax.....	733.00
To pay Webb Press Company, account overpayment of franchise tax .....	896.00
To pay Waddell Investment Company, account overpayment of franchise tax .....	266.20
To pay Union Bridge & Construction Company, account overpayment of franchise tax.....	673.50
To pay W. E. Thomas Lumber Company, account overpayment of franchise tax.....	499.65
To pay Studebaker Corporation of America, account overpayment of franchise tax.....	465.00
To pay Standard Computing Scale Company, account overpayment of franchise tax.....	481.00
To pay Sodeman Power & Light Company, account overpayment of franchise tax.....	245.50
To pay the Progressive Farmer Company, account overpayment of franchise tax.....	388.70
To pay The Power Manufacturing Company, account overpayment of franchise tax.....	258.00
To pay Pittsburgh Filter & Engineering Company, account overpayment of franchise tax.....	582.00
To pay Pittsburgh Piping & Equipment Company, account overpayment of franchise tax.....	1,067.34
To pay Peters Eichler Company, account overpayment of franchise tax .....	71.00
To pay Ogus, Robinson & Ogus, account overpayment of franchise tax .....	307.60
To pay Newsom & Company, account overpayment of franchise tax .....	853.00
To pay the New Home Sewing Machine Company, account overpayment of franchise tax.....	3,280.00
To pay F. E. Newbury Electric Company, account overpayment of franchise tax.....	192.00
To pay Nelson Loan Company, account overpayment of franchise tax .....	328.35
To pay National Loan & Investment Company, account overpayment of franchise tax.....	3,750.50

To pay Missouri Valley Bridge & Iron Company, account overpayment of franchise tax.....	985.55
To pay John F. Meyers & Son, account overpayment of franchise tax .....	1,005.00
To pay McAlester Fuel Company, account overpayment of franchise tax .....	1,113.00
To pay Maxwell Investment Company, account overpayment of franchise tax.....	252.15
To pay Litchfield Land Company, account overpayment of franchise tax .....	531.65
To pay B. F. Johnson Publishing Company, account overpayment of franchise tax.....	5,041.00
To pay Hoffman Heater Company, account overpayment of franchise tax .....	356.50
To pay Hastings Industrial Company, account overpayment of franchise tax .....	475.00
To pay Hanlin Supply Company, account overpayment of franchise tax .....	672.90
To pay Gullett Gin Company, account overpayment of franchise tax .....	470.50
To pay B. F. Goodrich Rubber Company, account overpayment of franchise tax .....	1,644.33
To pay Gilsonite Construction Company, account overpayment of franchise tax .....	1,593.00
To pay Dodd, Mead & Company, account overpayment of franchise tax .....	240.00
To pay Deming Investment Company, account overpayment of franchise tax .....	142.40
To pay Dickinson Trust Company, account overpayment of franchise tax .....	1,327.67
To pay Delta Land & Timber Company, account overpayment of franchise tax .....	3,100.00
To pay Clinchfield Fuel Company, account overpayment of franchise tax .....	152.50
To pay Cudahy Packing Company, account overpayment of franchise tax .....	1,213.00
To pay Central Coal & Coke Company, account overpayment of franchise tax .....	8,773.00
To pay F. C. Austin Company, account overpayment of franchise tax .....	768.50
To pay B. F. Avery & Sons, account overpayment of franchise tax .....	533.00
To pay Atkinson, Mentzer & Company, account overpayment of franchise tax .....	1,218.50
To pay American Sheet Metal Works, account overpayment of franchise tax.....	248.00
To pay Delta Lumber Company, account overpayment of franchise tax .....	825.00
To pay Trussed Concrete Steel Company, account overpayment of franchise tax .....	1,613.80
To pay Gammel's Book Store, materials and supplies.....	19.00
To pay D. A. Bradshaw, sheriff's fees.....	44.00
To pay Lee Andrew Johnson, witness fees.....	8.70
To pay R. J. Flanagan, for personal services rendered the Texas Prison System as supervisor.....	916.66
To pay R. J. Brundrett, occupation tax.....	21.49
To pay Citizens National Bank of Marlin, Texas, account excess capital stock tax.....	1,794.71
To pay Mrs. Myrtle McKee, Mrs. Annie Ealey, and R. H. Moore, assignee, for judgment entered in the District Court of Tarrant County, Texas, September 13, 1933.....	412.66
To pay Shamrock Cotton Oil Company, account overpayment of franchise tax .....	60.60

To pay Madden Furniture Company of Galveston, account refund warrant, dated December 14, 1927, same being a refund of franchise tax (warrant lost).....	6.15
To pay Claude H. Mills, Route 2, Box 49, Arlington, Texas, refund of overpayment of auto registration fees.....	24.96
Total .....	\$ 75,485.40

The Following Sums to be Paid Out of the Fund of  
the Texas Highway Department

To pay G. C. Wise of Marshall, Texas, personal injury, account highway sign left on highway.....	251.29
To pay Guy Sells of Terrell, Texas, personal injury, account breaking of highway sign.....	14.00
To pay Mansel A. Smith, in trust, of Junction, Texas, account personal injury, account highway maintainer tractor turning over on him, to be paid as follows:	
Dr. Lilburn E. Standifer .....	\$245.00
Dr. H. E. Wright .....	25.00
Schreiner-Hodges Co. ....	12.50
Powel Motor Co. ....	15.00
	297.50
To pay G. W. Witt of Cookville, Texas, property damage, account fire caused by Highway Department .....	369.50
To pay Miss Maude Reichaw, account injury by State Highway truck .....	2,000.00
Total .....	\$2,932.29

Sec. 2. (a) There is hereby appropriated, out of the General Revenue of the State of Texas, the sum of five hundred thousand dollars (\$500,000), not otherwise appropriated, or so much thereof as may be necessary, for the purpose of reimbursing the general fund of the counties of Texas for moneys actually expended in the eradication and extermination of cattle ticks, prior to the year 1929.

(b) In order to recover the funds so expended, it shall be necessary for the county commissioners court of each county hereby affected, to furnish the Comptroller of Public Accounts of this State a sworn itemized statement of expenses properly and regularly incurred in the eradication of ticks, including salaries and other expenses for local inspectors, labor, and material, and other expenses incident to the construction of dipping vats, expenses incurred in the purchase and distribution of dipping materials, and all other expenses incurred by such counties. Such itemized accounts shall be signed and attested by the county judge, one county commissioner, and the county auditor, and if there be no county auditor, the county judge and the county commissioners of the county filing such claim. Such claim shall be prima facie evidence of the correctness, and same shall be allowed and paid on regular warrants by the State Treasurer and Comptroller of Public Accounts, as are other claims and accounts; provided, that such claims have been filed with the Comptroller of Public Accounts within six months after the taking effect of this Act.

(c) Said appropriation shall be apportioned among the various counties entitled thereto in proportion to the amount of money expended by each, and no claim shall be paid until all claims have been filed with the Comptroller and properly proved.

Sec. 3. The following amounts are hereby appropriated to pay claims arising from the destruction of stock and property by the State in the eradication of the hoof and mouth disease, in Harris, Brazoria, and Galveston Counties, Texas, as follows:



## Claim

Claim No.	Name	Amount
1.	Shannon, W. C., Arcadia.....	\$ 125.00
2.	Holbert, C. E.....	575.00
3.	Peterson, Axel, So. Houston.....	297.00
4.	Flora, Mrs. L., Algoa.....	585.00
5.	Walker, W. L., Arcadia.....	1,620.00
6.	Thompson, Robt., Alta Loma.....	180.00
7.	Nelson, Fred.....	210.00
8.	Meadows, G. W., Arcadia.....	60.00
9.	Rommers, G. H., Algoa.....	1,653.00
10.	Hill, J. T., Arcadia.....	450.00
11.	Murdock, E. C., Arcadia.....	100.00
12.	Mackay, Henry, Algoa.....	355.00
13.	Holloway, Wm., Arcadia.....	1,050.00
14.	Sandstrom, G. A., Arcadia.....	850.00
15.	Myles, Mrs. L., Arcadia.....	798.00
16.	Shannon, T. J., Arcadia.....	650.00
17.	Moore, J. A., Arcadia.....	2,100.00
18.	Dyer, W. C., Arcadia.....	140.00
19.	Hall, W. E. Algoa.....	100.00
20.	Baty, Mrs. John, Arcadia.....	648.00
21.	Peurshot, F. S., Arcadia.....	95.00
22.	Stockwell, H. E.....	1,800.00
23.	Cole, E. M., Alta Loma.....	400.00
24.	Dyer, W. F., Arcadia.....	400.00
25.	Jackson, Mrs. F. W., Arcadia.....	845.00
26.	French, Mrs. T. F., Arcadia.....	550.00
27.	Rezek, John, Algoa.....	180.00
28.	Campbell, J. J., Algoa.....	100.00
29.	Tully, Andrew, Arcadia.....	100.00
30.	Flora, Paul, Algoa.....	2,550.00
31.	Meeks, J. C., Arcadia.....	1,049.00
32.	Stavely, Mrs. M. E., Arcadia.....	550.00
33.	Moore, Guy, Arcadia.....	2,200.00
34.	Cox, J. H., Arcadia.....	1,464.00
35.	Day, Mrs. A. E., Arcadia.....	75.00
36.	Kubin, Frank, Alvin.....	369.00
37.	Trantow, Fred, Algoa.....	125.00
38.	Gilbert, J. E., Arcadia.....	1,200.00
39.	Bishop, L. B., Arcadia.....	120.00
40.	Schultze, B. F., Arcadia.....	2,000.00
41.	Truske, Frank, Alvin.....	379.00
42.	Braver & Gibson, Arcadia.....	375.00
43.	Goddard, J. G., Algoa.....	200.00
44.	Youngblood, G. H., Alta Loma.....	702.00
45.	Schoenfeldt, Wm., Arcadia.....	640.00
46.	Hillerman, Chas., Arcadia.....	300.00
47.	Ward, Miss Jenny G., Alvin.....	90.00
48.	Leary, Jno. W., Arcadia.....	1,241.00
49.	Neschyba, Mrs. J. W., Arcadia.....	960.00
50.	Clutter, John, Alvin.....	1,650.00
51.	Dent, Mrs. M. E., Arcadia.....	453.00
52.	Liening, B. H., Dickinson.....	1,575.00
53.	Leary Bros., Arcadia.....	1,883.00
54.	Linkey, J. A., Arcadia.....	800.00
55.	Chiles, Mrs. Edgar, Arcadia.....	900.00
56.	McPeters, Mrs. W. M., Arcadia.....	940.00
57.	Travis, Mrs. J. E., Arcadia.....	67.00
58.	Palmo, Mrs. C., Arcadia.....	250.00
59.	Schock, Edwin, Alvin.....	2,150.00
60.	Refused.....	
61.	Schmidt, G. C., Arcadia.....	1,423.00
62.	Thomas, C. R., Arcadia.....	750.00

Claim No.	Name	Amount
63.	Almon, Z. M., Algoa.....	250.00
64.	Harris, A. W., Arcadia.....	1,070.00
65.	Ward, R. E., Alvin.....	275.00
66.	Palmer, J. A., Algoa.....	2,490.00
67.	Edwards, Jim, Algoa.....	1,105.00
68.	Keeling, H. S., Algoa.....	244.00
69.	Tacquard, J. M., Alvin.....	3,700.00
70.	Trantow, Albert, Alvin.....	475.00
71.	Weiting, W. O., Alvin.....	103.00
72.	Scruggs, T. C., Algoa.....	1,730.00
73.	Powers, E. A., Arcadia.....	750.00
74.	Chiles, Lee, Arcadia.....	1,370.00
75.	Franks, Evans, Arcadia.....	610.00
76.	Garnouch, C., Arcadia (withdrawn).....	
77.	Grimes, G. A., Arcadia.....	315.00
78.	Crem, Mrs. A. D., Arcadia.....	616.00
79.	Smith, C. L., Algoa.....	300.00
80.	Cox, J. B., Arcadia.....	1,050.60
81.	Johns, C. E., Arcadia.....	450.00
82.	Lock, A. W., Arcadia.....	764.00
83.	Albright, Mrs. E. H., Arcadia.....	1,000.00
84.	Lilley, Mrs. B. F., Algoa.....	210.00
85.	Brittnacher, John, League City.....	1,079.00
86.	Bauscus, F. A., Arcadia.....	376.00
87.	Brittnacher, Joe, League City.....	500.00
88.	Brockman, W. H. (Admr.), Alta Loma.....	1,500.00
89.	Borm, Gus, Alvin.....	180.00
90.	Schmidt, Geo., Alta Loma.....	480.00
91.	Syfan, Chas. N. (withdrawn).....	
92.	Burns, W. D., Alta Loma.....	1,560.00
93.	Brittnacher, Mrs. Jake, League City.....	930.00
94.	Gifstad, H., Pasadena.....	375.00
95.	Endicot, G. E. (withdrawn).....	
96.	Schuld, A. E., Arcadia.....	575.00
97.	Mokk, F., So. Houston.....	2,784.00
98.	Parks, W. S., Pasadena.....	640.00
99.	Blackesley, W. N., Pasadena.....	950.00
100.	Kruska, Oscar (withdrawn).....	
101.	Aaberg, J. K., Arcadia.....	1,325.00
102.	Hill, Mrs. M. T., Arcadia.....	600.00
103.	No record (withdrawn).....	
104.	Tamberello, Joe, Alta Loma.....	600.00
105.	Pristona, Joe, Alta Loma.....	360.00
106.	Raitano, John, Alta Loma.....	1,260.00
107.	Flora, Stanley, Algoa (refused).....	
108.	Thomson, J. Q., Alvin.....	250.00
109.	Saunders, Dr. H. S., Arcadia.....	90.00
110.	Wiegand, Mrs. Nina, Dickinson.....	2,140.00
111.	Albert, Auck, Algoa.....	550.00
112.	Hooper, L. O., Algoa.....	90.00
113.	Hanna, Mrs. Chas., Algoa.....	120.00
114.	Sanner, R. T., Arcadia.....	295.00
115.	Palmero, V. A., Arcadia.....	400.00
116.	Mailleux, Geo. F., Arcadia.....	180.00
117.	Jones, J. S., Algoa.....	90.00
118.	Baty, Mrs. H. W., Arcadia.....	1,600.00
119.	Rymal, G. M., Sr., Algoa.....	210.00
120.	Hervey, H. P., Jr., Arcadia.....	163.00
121.	Hodges, W. J., Arcadia.....	510.00
122.	Neuman, G. L., Dickinson.....	75.00
123.	McGee, J. T., Algoa.....	450.00

Claim No.	Name	Amount
124.	Lock, A. A., Arcadia.....	1,320.00
125.	Kemmerling, Mrs. T. J., Hitchcock.....	360.00
126.	Dues Bros., Dickinson.....	815.00
127.	Pollinard, R. E., Arcadia.....	150.00
128.	Riggio, Joe, Alta Loma.....	240.00
129.	Ginn, J. J., Algoa.....	180.00
130.	Garrett, Mrs. L. B., Algoa.....	180.00
131.	Franks, J. F., Arcadia.....	90.00
132.	Beine, Peter, Arcadia.....	87.00
133.	Glazener, O. B., South Houston.....	234.00
134.	Senger, Frank, Dickinson.....	180.00
135.	McClain, Mrs. Mary, Harrisburg.....	1,500.00
136.	Evans, C. H., Arcadia.....	60.00
137.	Refused.	
138.	Gammage, F. S., Genoa.....	1,950.00
139.	Stroughan, Mrs. M. M., South Houston.....	270.00
140.	Bond, Mrs. V. E., South Houston.....	270.00
141.	Tacquard, Arthur, Alta Loma.....	450.00
142.	Ford, R. G., South Houston.....	150.00
143.	Denham, Mrs. J., South Houston.....	165.00
144.	Gatton, H. C., South Houston.....	90.00
145.	Dodd, J. E., South Houston.....	90.00
146.	Anderson, J. L., South Houston.....	360.00
147.	Bell, R. W., South Houston.....	90.00
148.	Keizer, Mrs. L. M., South Houston.....	90.00
149.	Surles, A. I., Alvin (withdrawn).....	
150.	Grothgar, Mrs. Fred, Alta Loma.....	785.00
151.	Larsen, Olex, Alta Loma.....	265.00
152.	Birrell, Alex, La Porte.....	1,050.00
153.	West, R. M., Arcadia.....	900.00
154.	Dean, Mrs. A. W., Arcadia.....	175.00
155.	Refused.	
156.	Baty, W. A., Arcadia.....	240.00
157.	Van Natter, C. H., South Houston.....	180.00
158.	Cadillo, C., South Houston.....	108.00
159.	Farquhar, S. E., Genoa.....	300.00
160.	Anthony, Stanley, Genoa.....	300.00
161.	Franks, B. L., Genoa.....	210.00
162.	Jones, Arthur, Genoa.....	90.00
163.	Dudley, W. H., South Houston.....	90.00
164.	Tullis, J. B., Genoa.....	300.00
165.	Preece, Arthur, South Houston.....	60.00
166.	Florida, T. H., South Houston.....	90.00
167.	Kennedy, S. W., South Houston.....	90.00
168.	McGowen, M. P., Genoa.....	120.00
169.	Brussard, W. M., South Houston.....	90.00
170.	Murray, Mrs. Jessie, South Houston.....	75.00
171.	Tullis, H. J., Genoa.....	180.00
172.	Refused.	
173.	Boehm, H. W., Genoa.....	120.00
174.	Jones, Mrs. Stella, Genoa.....	90.00
175.	Dibbern, Mrs. Sophia, South Houston.....	90.00
176.	Schlentes, Mrs. J., South Houston.....	270.00
177.	Knight, G. O., Alvin.....	900.00
178.	McWhorter, Howard, South Houston.....	90.00
179.	Crawford, C. D., Genoa.....	90.00
180.	McLawchlin, C. H., Genoa.....	60.00
181.	Alden, J. M., Genoa.....	120.00
182.	Hall, E. E., Genoa.....	240.00
183.	McGower, Mrs. Ida.....	420.00
184.	Wingren, H. T., Genoa.....	180.00
185.	McLendon, M. D., Genoa.....	5,900.00

## Claim

No.	Name	Amount
186.	Vawter, C. E., Genoa.....	240.00
187.	Tambrello, Jack, Alta Loma.....	900.00
188.	Shop, M., Genoa.....	1,080.00
190.	Allan, Chas. N., Genoa.....	180.00
191.	Foster, W. C., Genoa.....	360.00
193.	Davis, W. C., Genoa.....	108.00
194.	Wall, J. E., Genoa.....	180.00
195.	Burnett, G. P., Genoa.....	240.00
196.	Lambert, E. E., Genoa.....	200.00
197.	Crenshaw, E. Q., Genoa.....	450.00
198.	Sandstrom, J. A., Arcadia.....	797.64
199.	Beusch, Mrs. C. F., Pasadena.....	405.92
200.	Edming, Mrs. Mary, Pasadena.....	243.00
201.	Endicott, J. A., Pasadena.....	416.00
202.	Kruze, Oscar, Pasadena.....	970.94
203.	Garnuch, S., Pasadena.....	793.12
204.	Syfan, Chas. E., Pasadena.....	1,931.80
205.	Williams, B. P., Pasadena.....	225.00
206.	Pomeroy, Mrs. A. L., Pasadena.....	50.00

Sec. 4. That the Comptroller of Public Accounts is hereby authorized and directed to issue a warrant or warrants on the State Treasurer in favor of each of the persons, firms, or corporations named hereinabove, in the amount set opposite their respective names, and shall mail or deliver to each of said persons, firms, or corporations, at their said respective addresses, warrant or warrants in payment of said claim or claims, and said persons, firms, or corporations shall duly receipt the Comptroller for said warrant or warrants for payment of said claim or claims.

Respectfully submitted,

HOLBROOK,  
BECK,  
WOODRUFF,  
PARR,

ENGELHARD,  
RUSSELL,  
THOMAS,  
BECK,

On the part of the Senate;

On the part of the House.

Mr. Engelhard moved that the report be adopted.

Mr. Morrison moved that the report be not adopted.

(Mr. Alexander in the Chair.)

Question recurring on the motion by Mr. Morrison, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—64

Adamson.	Few.
Aikin.	Fisher.
Alexander.	Fuchs.
Alsup.	Glass.
Baker.	Golson.
Barrett.	Goodman.
Bourne.	Graves.
Calvert.	Greathouse.
Camp.	Griffith.
Canon.	Harris.
Dean.	Hester.
Fain.	Hicks.

Hill of Webb.  
Hodges.  
Holekamp.  
Huddleston.  
Hughes.  
Hunter.  
Hyder.  
James.  
Jefferson.  
Kayton.  
Kyle of Hays.  
Lindsey.  
Long.  
Lotief.  
Magee.  
Moffett.  
Morrison.  
Munson.  
Parkhouse.  
Pope.  
Puryear.

Ratliff.  
Reed of Bowie.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Smith.  
Stanfield.  
Stinson.  
Stovall.  
Sullivant.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Vaughan.  
Wagstaff.  
Winningham.  
Wood.  
Young.

Nays—38

Beck.	Cathey.
Bedford.	Caven.
Burns.	Celaya.

Clayton.	McDougald.
Daniel.	McGregor.
Duvall.	Metcalf.
Engelhard.	Mitcham.
Ford.	Moore.
Hankamer.	Morse.
Head.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hunt.	Roberts.
Jackson.	Ross.
Johnson.	Russell.
of Dimmit.	Scarborough.
Latham.	Shannon.
Lemens.	Walker.
Mackay.	Weinert.
Mathis.	Wells.
McClain.	

## Absent

Barron.	Jones of Shelby.
Bradley.	Kyle of Palo Pinto.
Butler.	Laird.
Chastain.	Leonard.
Colson.	McCullough.
Coombes.	McKee.
Cowley.	Merritt.
Crossley.	Nicholson.
Davidson.	Palmer.
Devall.	Patterson.
Dunlap.	Pavlica.
Dunagan.	Ramsey.
Dwyer.	Ray.
Good.	Reader.
Harman.	Riddle.
Harrison.	Savage.
Hartzog.	Scott.
Holland.	Shults.
Hoskins.	Steward.
Johnson.	Stubbsman.
of Anderson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Van Zandt.

## Absent—Excused

Anderson.	Holloway.
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(Speaker in the Chair.)

TO SUSPEND CERTAIN JOINT  
RULE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 29, To suspend certain Joint Rule.

Whereas, Senate Bill No. 100 is now before the House; therefore be it

Resolved by the Senate, the House of Representatives concurring, That Rule XI, of the Joint Rules, relative to the Twenty-four-hour Rule, be, and the same is hereby, suspended, so

as to allow the House to take up and consider Senate Bill No. 100, until finally disposed of.

The resolution was read second time, and was lost.

RELATIVE TO SENATE BILL  
NO. 46

Mr. McGregor moved that the Chief Clerk of the House be instructed to have 3,000 copies of Senate Bill No. 46, as passed by the First Called Session of the Forty-third Legislature, printed.

The motion prevailed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 52, Suspension of Joint Rule XXIII, so as to allow the House to consider, until finally passed, House Bill No. 193.

H. C. R. No. 69, Suspension of Joint Rule XXIII, in regards to Senate Bill No. 111.

H. C. R. No. 71, Suspension of Joint Rule XI, so as to consider and finally pass House Bill No. 120.

The Senate has adopted conference committee report on House Bill No. 10, by the following vote: Yeas, 25; nays, 3.

The Senate has adopted conference committee report on House Bill No. 112 by the following vote: Yeas, 29; nays, 0.

The Senate has adopted conference committee report on House Bill No. 179 by the following vote: Yeas, 18; nays, 9.

The Senate has adopted conference committee report on House Bill No. 146 by the following vote: Yeas, 27; nays, 1.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## RECESS

On motion of Mr. Long, the House, at 6:10 o'clock p. m., took recess to 7:30 o'clock p. m., today.

## NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

## RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 23

Mr. Alsup offered the following resolution:

H. C. R. No. 76, Relative to Senate Concurrent Resolution No. 23.

Whereas, Senate Concurrent Resolution No. 23 was considered in the House of Representatives this morning amidst great confusion and uproar; and

Whereas, A point of order against the consideration of same was made, and sustained; and

Whereas, A point of order was also made against the succeeding resolution laid out by the Chair and was later withdrawn, but was not withdrawn against Senate Concurrent Resolution No. 23; and

Whereas, Senate Concurrent Resolution No. 23 passed the House of Representatives without any consideration whatever, and without debate; and

Whereas, Said Senate Concurrent Resolution No. 23 involves the transfer and expenditure of a large sum of money; and

Whereas, The transfer and expenditure of this money ought to be carefully considered; now, therefore, be it

Resolved by the House of Representatives to respectfully request the Senate to return said resolution to the House of Representatives for further consideration.

ALSUP,  
MOFFETT,  
GRAVES.

The resolution was read second time, and was adopted.

## REPORT OF THE COMMITTEE IN REGARD TO THE SELECTION OF A POET LAUREATE

The Speaker laid before the House, and had read, the following report of the committee heretofore appointed to select a poet laureate for the State of Texas:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee, appointed under the provisions of Senate Concurrent Resolution No. 82, to appoint and designate some outstanding and recognized poet who is a citizen of Texas, who shall be poet laureate of the State of Texas for a period of two years from such appointment and designation, have had the same under consideration and report as follows:

Twenty-five poets, residents of the State of Texas, submitted manuscripts. The committee, believing that persons better qualified could be found to judge poetry than the membership of the legislative committee, selected five outstanding poets and heads of English departments in several educational institutions in different parts of Texas to judge these manuscripts. Each poet was requested by the committee to select the poems he or she specially desired to be considered. These selected poems were carefully copied and compared, the pages on which they were written showing no name, address, sex, or any information whatever except a number, and mailed to the several judges.

The judges after individually reading and studying said manuscripts, submitted to them as above, mailed to this committee their respective ballots, the majority voting for the manuscripts submitted by Aline Michaelis, of Beaumont, Texas.

The committee has therefore, under the terms of Senate Concurrent Resolution No. 82, selected and designated Aline Michaelis, of Beaumont, Texas, as Poet Laureate of the State

of Texas for a period of two years from this date.

Respectfully submitted,

DUGGAN, Chairman.  
NEAL,  
JONES of Atascosa,  
WINNINGHAM.

**REPORT OF THE COMMITTEE  
IN REGARD TO DRAFTING  
RESOLUTION IN MEM-  
ORY OF HON. FRANK  
HAAG**

The Speaker laid before the House, and had read, the following report of the committee heretofore adopted to draft resolution in memory of Hon. B. Frank Haag:

Committee Room,  
Austin, Texas, October 11, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: We, your committee, appointed to draft resolution in respect to the memory of our departed colleague, Hon. Frank Haag, have prepared the House Simple Resolution submitted herewith, and beg leave to report back with the recommendation that this resolution do pass, and be printed in the Journal on a page dedicated to that purpose.

Respectfully submitted,

STUBBEMAN,  
METCALFE,  
McGREGOR,  
THOMAS,  
SCOTT,  
Committee.

**PROVIDING POST-SESSION WORK  
FOR CERTAIN EMPLOYEES**

Mr. Harman offered the following resolution:

Whereas, It is necessary that certain officers and employes perform certain duties in order to complete the work of their departments; now, therefore, be it

Resolved, That the following officers and employes be retained after the adjournment of this Session, not to exceed the number of days herein specified, exclusive of Sundays:

The Chief Clerk, ten days, for the purpose of collecting all records, reports, and papers in the hands of various clerks, and arranging all bills, resolutions, petitions, special reports, affidavits, and testimony heretofore requested by the House or by special investigating committees, and delivering the same, after proper classification to the Secretary of State, and to complete the various other duties imposed upon her by resolution and by the rules of the House; two assistants, six days each.

The Calendar Clerk, four (4) days, and the Assistant Calendar Clerk, three (3) days, for the purpose of completing their records and delivering all bills and resolutions in their possession to the Chief Clerk.

The Engrossing and Enrolling Clerks, two (2) days each, for the purpose of filing with the Chief Clerk all bills and resolutions in their departments.

The Clerk to the Contingent Expense Committee, ten days; the bookkeeper and stock clerk to the Contingent Expense Committee, four days, for the purpose of invoicing, checking and posting up accounts, mailing out vouchers and closing up the affairs of the Committee on Contingent Expenses and expenses of the Chairman of the Committee on Contingent Expenses shall be allowed for ten days.

The Mailing Clerk and Assistant Mailing Clerk, three (3) days each, for the purpose of mailing out House Journals not received from the printer until after sine die adjournment.

The Clerk of Committee on Appropriations, one (1) day, to compile and recapitulate appropriations totals for printing in Journal of last day.

The Voting Machine Operator, three (3) days, for the purpose of cleaning up the voting machine.

The Sergeant-at-Arms shall receive four (4) days; two pages shall receive one (1) day each, and six (6) porters shall receive six (6) days each to assist in the proper closing and cleaning of the Hall of the House of Representatives.

The Clerk of the Committee on Claims and Accounts shall receive one (1) day to properly close the affairs of the Committee on Claims and Accounts.

One stenographer to Chairman on Claims and Accounts one (1) day.

The chief of stenographers and one page shall receive one (1) day each.

That two hundred and fifty copies of the House Journal of the First Called Session of the Forty-third Legislature, when completed, shall be printed and shall be bound in buckram, and that one volume, when thus bound, shall be forwarded by the Journal Clerk of the House to each Member of the House of Representatives, to each elective officer of the House, and to each Senator, and the remaining shall be turned over to the Secretary of State.

The printing of such House Journals in permanent form shall be done in accordance with pre-existing laws and with the provisions of this resolution, under the supervision of the Journal Clerk of the House.

It is further provided that it shall be the duty of the Journal Clerk of the House of Representatives not to receive or receipt for said House Journals until correctly published as required herein and by pre-existing law; provided, that the Journal Clerk shall be empowered to leave out of the Permanent Journal all bills which have been printed in the daily Journal.

When said Journals have been published, and the account approved by the State Printing Board, the same shall be paid out of the Contingent Expense Fund of the First Called Session of the Forty-third Legislature that is available; providing that the Chairman of the Committee on Contingent Expenses shall not issue voucher for said amount until the Journal Clerk has certified to him that the Journals have been published and delivered in accordance with the provisions of this resolution.

The Journal Clerk and his assistant shall be retained for not more than thirty (30) days each, exclusive of Sundays, after sine die adjournment for the purpose of correcting, and indexing, and the supervision of the publication of Journals of the House of Representatives of the First Called Session of the Forty-third Legislature, and shall receive the same salary as received during the Session, payable out of the Contingent Expense Fund, on bills in duplicate, with the usual affidavit attached.

That each employe so retained shall receive the same amount of salary as received for like work during this Session, to be paid out of any sum appropriated for mileage and per diem of the Members and Officers and Employes of the First Called Session of the Forty-third Legislature, the amount to be paid by warrants to be signed by the Speaker of the House and the Chief Clerk of the House.

The resolution was read second time, and was adopted.

#### PROVIDING FOR HOUSE CUSTODIAN

Mr. Harman offered the following resolution:

Whereas, The Hall of the House of Representatives should be kept open from 8 o'clock a. m., until 5 o'clock p. m., each week day, and from 1 o'clock p. m., to 5 o'clock p. m., each Sunday, in order that visitors may have the opportunity of visiting the Hall when in the City of Austin; and

Whereas, The furniture and property of the Hall of the House of Representatives and the various committee rooms should be under protection during these hours, and kept clean, and in order; and

Whereas, No such employes are provided as a part of the regular force of the employes of the Capitol; therefore, be it

Resolved by the House of Representatives, That the Speaker of the House be authorized to select a responsible hostess to look after the Hall of the House of Representatives after the adjournment of the First Called Session of the Legislature and the convening of the next Session, which hostess shall be under the supervision of the Board of Control, and shall receive for her services seventy-five dollars (\$75) per month, to be paid out of the mileage and per diem fund of the House of the First Called Session, a warrant to be issued upon the approval of the Chairman of the Board of Control, and to be paid the first day of each month; and, be it further

Resolved, That the Speaker of the House be authorized to designate a porter to take care of the Hall of the House of Representatives and the adjoining rooms, used by the House of Representatives and the Speaker of



the House, and said porter shall work under the direction of the Custodian of the House and the Board of Control, but shall do work other than required for the proper care and attention of the House, and shall receive as compensation the sum of \$3 per day, to be paid out of the per diem appropriation fund of the Forty-third Legislature, a warrant to be issued upon approval of the Chairman of the Board of Control, and to be paid the first day of each month.

The resolution was read second time, and was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 88 by the following vote: Yeas, 27; nays, 1.

The Senate has adopted

H. C. R. No. 59, Suspension of Joint Rule No. XI, so as to allow the House to take up and consider, until finally passed, House Bill No. 116.

The Senate has passed

H. B. No. 120, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and as further amended by Chapter 94, Section 1, of the Regular Session of the Forty-second Legislature, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### TO SUSPEND CERTAIN JOINT RULE

Mr. Laird offered the following resolution:

H. C. R. No. 73-a, To suspend certain Joint Rule.

Whereas, There is now existing in the two weeks' pay day law certain exceptions which render this Act diffi-

cult of enforcement, resulting in considerable loss to the laboring people of Texas; and

Whereas, There is now pending in the House on third reading and final passage, Senate Bill No. 71, seeking to make certain corrections in said law; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Rule XI of the Joint Rules of both Houses, be suspended, for the purpose of taking up and considering Senate Bill No. 71.

The resolution was read second time, and was adopted.

#### TO SUSPEND CERTAIN JOINT RULE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 31, To suspend certain Joint Rule.

The resolution was read second time, and was lost.

#### PROVIDING FOR EXTRA COPIES OF HOUSE JOURNAL

Mr. Stinson offered the following resolution:

Whereas, The House Journal for today, October 13, will contain a number of important committee reports; and

Whereas, There will be a large demand for copies of said Journal; therefore, be it

Resolved, That the Sergeant-at-Arms of the House be instructed to have printed an additional three hundred and fifty (350) copies of the House Journal of this date, and that same be charged to the contingent expense account of the House, and that two extra copies be mailed to each Member by the Mailing Clerk.

The resolution was read second time, and was adopted.

#### SENATE BILL NO. 35 ON SECOND READING

On motion of Mr. Alsup, the regular order of business was suspended, to take and have placed on its second reading and passage to third reading,

S. B. No. 35, A bill to be entitled "An Act amending Senate Bill No. 86,

Acts of the First Called Session of the Forty-first Legislature, by authorizing the receiving of gifts and donations for rehabilitation work, and gifts and donations to be deposited in the State Treasury, subject to the matching of same with Federal funds to a limited amount, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to third reading.

#### SENATE BILL NO. 35 ON THIRD READING

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Holland.
Aikin.	Hoskins.
Anderson.	Huddleston.
Baker.	Hughes.
Bourne.	Hunter.
Bradley.	Hyder.
Burns.	James.
Calvert.	Jones of Atascosa.
Canon.	Jones of Runnels.
Celaya.	Jones of Shelby.
Clayton.	Kyle of Hays.
Colson.	Kyle of Palo Pinto.
Coombes.	Latham.
Crossley.	Lemens.
Daniel.	Leonard.
Davidson.	Lindsey.
Dean.	Long.
Dunlap.	Lotief.
Duvall.	Mackay.
Engelhard.	Magee.
Fain.	Merritt.
Few.	Metcalf.
Fisher.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Nicholson.
Goodman.	Palmer.
Graves.	Patterson.
Greathouse.	Pope.
Griffith.	Ramsey.
Harris.	Ratliff.
Harrison.	Reed of Bowie.
Hartzog.	Renfro.
Head.	Riddle.
Hester.	Roberts.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Rogers
Hodges.	of Ochiltree.

Ross.  
Russell.  
Savage.  
Scarborough.  
Scott.  
Shannon.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Stubbeman.  
Sullivant.

Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Winningham.  
Wood.

Nays—6

Barrett.  
Bedford.  
Hankamer.

Jackson.  
Purvey.  
Rollins.

Absent

Alexander.  
Alsup.  
Barron.  
Beck.  
Butler.  
Camp.  
Cathey.  
Caven.  
Chastain.  
Cowley.  
Devall.  
Dunagan.  
Dwyer.  
Harman.  
Hill of Webb.  
Holekamp.  
Hunt.  
Jefferson.  
Johnson  
of Anderson.  
Johnson  
of Dimmit.

Kayton.  
Laird.  
Mathis.  
McClain.  
McCullough.  
McDougald.  
McGregor.  
McKee.  
Munson.  
Parkhouse.  
Pavlica.  
Ray.  
Reader.  
Reed of Dallas.  
Shults.  
Smith.  
Turlington.  
Weinert.  
Wells.  
Young.

Absent—Excused

Holloway.

The Speaker then laid Senate Bill No. 35 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Adamson.  
Aikin.  
Alexander.  
Alsup.  
Anderson.  
Baker.  
Beck.  
Bourne.  
Bradley.  
Burns.  
Canon.  
Cathey.  
Celaya.

Clayton.  
Coombes.  
Crossley.  
Daniel.  
Davidson.  
Dean.  
Devall.  
Duvall.  
Dwyer.  
Engelhard.  
Fain.  
Few.  
Fisher.

Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Patterson.
Griffith.	Pope.
Harris.	Ramsey.
Hartzog.	Ratliff.
Head.	Reed of Bowie.
Hester.	Reed of Dallas.
Hicks.	Riddle.
Hill of Brazoria.	Roberts.
Hill of Webb.	Rogers
Hodges.	of Ochiltree.
Hoskins.	Rollins.
Huddleston.	Ross.
Hughes.	Russell.
Hunter.	Savage.
Hyder.	Scarborough.
James.	Scott.
Jones of Atascosa.	Shannon.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Steward.
Kyle of Hays.	Stinson.
Kyle of Palo Pinto.	Stovall.
Latham.	Stubbeman.
Lemens.	Tarwater.
Long.	Tennyson.
Lotief.	Tillery.
Mackay.	Townsend.
Magee.	Van Zandt.
McClain.	Vaughan.
McGregor.	Wagstaff.
Merritt.	Walker.
Metcalfe.	Winningham.
Mitcham.	Wood.

## Nays—4

Hankamer.	Lindsey.
Jackson.	Puryear.

## Absent

Barrett.	Johnson
Barron.	of Dimmit.
Bedford.	Kayton.
Butler.	Laird.
Calvert.	Leonard.
Camp.	Mathis.
Caven.	McCullough.
Chastain.	McDougald.
Colson.	McKee.
Cowley.	Parkhouse.
Dunlap.	Pavlica.
Dunagan.	Ray.
Harman.	Reader.
Harrison.	Renfro.
Holekamp.	Rogers of Hunt.
Holland.	Shults.
Hunt.	Smith.
Jefferson.	Sullivant.
Johnson	Thomas.
of Anderson.	Turlington.

Weinert.	Young.
Wells.	

Absent—Excused

Holloway.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 88

Mr. Latham submitted the following conference committee report on House Bill No. 88:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on

H. B. No. 88, A bill to be entitled "An Act amending Article 2350, Chapter 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by House Bill No. 555, Chapter 216, page 727, Acts of the Forty-third Legislature, Regular Session, relating to the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional it shall not affect any remaining part, and declaring an emergency,"

Having considered the differences between the two Houses, and having reached an agreement, beg leave to report that the hereto attached bill is the bill which we recommend to be passed by both Houses.

We recommend the adoption of this report and the final pasage by both Houses of the attached bill:

"H. B. No. 88,

## A BILL

To Be Entitled

An Act amending Article 2350, Chapter 44, of the Revised Civil Statutes of the State of Texas, 1925,

as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by House Bill No. 555, Chapter 216, page 727, Acts of the Forty-third Legislature, Regular Session, relating to the salaries of county commissioners in certain counties, providing that if any part of this Act be declared unconstitutional, it shall not affect any remaining part, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2350, Chapter 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by House Bill No. 555, Chapter 216, Act of the Regular Session of the Forty-third Legislature, be, and the same is hereby, amended by adding a new Section after Section 1, to read as follows:

"Except in all counties having an assessed valuation of more than sixty-five million dollars (\$65,000,000) and less than seventy-six million dollars (\$76,000,000), according to the last preceding tax roll, each commissioner shall receive a salary not to exceed three thousand dollars (\$3,000) per year.

"Except in all counties having an assessed valuation of more than eighteen million dollars (\$18,000,000) and less than eighteen million five hundred thousand dollars (\$18,500,000), according to the last preceding tax roll, each commissioner shall receive a salary not to exceed one thousand eight hundred dollars (\$1,800) per year.

"Except in all counties having an assessed valuation of more than six million dollars (\$6,000,000) and less than six million five hundred thousand dollars (\$6,500,000), according to the last preceding tax roll, each commissioner shall receive an annual

salary not to exceed one thousand three hundred and fifty dollars (\$1,350).

"Except in all counties having an assessed valuation of more than five million dollars (\$5,000,000) and less than six million dollars (\$6,000,000), according to the last preceding tax roll, and having a population of less than twenty-four thousand one hundred inhabitants and more than twenty-four thousand inhabitants, according to the last preceding Federal Census, each commissioner shall receive a salary not to exceed twelve hundred dollars (\$1,200) per year.

"Except in all counties having an assessed valuation of more than five million dollars (\$5,000,000) and less than five million five hundred thousand dollars (\$5,500,000), according to the last preceding tax roll, each commissioner shall receive an annual salary not to exceed twelve hundred dollars (\$1,200).

"Except in all counties having an assessed valuation of more than twenty-eight million dollars (\$28,000,000) and less than twenty-nine million dollars (\$29,000,000) according to the last preceding tax roll, and having a population of more than thirty-four thousand inhabitants and less than thirty-seven thousand inhabitants, according to the last preceding Federal Census, each commissioner shall receive a salary not to exceed two thousand one hundred dollars (\$2,100) per year.

"Except in all counties having an assessed valuation of more than seven million two hundred thousand dollars (\$7,200,000) according to the last preceding tax roll each commissioner shall receive an annual salary not to exceed one thousand two hundred and sixty dollars (\$1,260).

"Except in all counties having an assessed valuation in excess of thirty million dollars (\$30,000,000) according to the last preceding tax roll, and having a population of more than sixty thousand inhabitants and less than seventy thousand inhabitants, according to the last preceding Federal Census, and having as many as two cities with a population in excess of thirteen thousand, five hundred inhabitants, according to the last preceding Federal Census, each commissioner shall receive a salary not to exceed two thousand one hundred dollars (\$2,100) per year."

Sec. 2. If any section, clause, sentence, or other part of this Act shall for any reason be declared unconstitutional it shall not affect in any way the constitutionality of the remaining provisions hereof.

Sec. 3. The crowded condition of the calendar and the near approach to the end of the Session create an emergency and an imperative public necessity, requiring the suspension of the constitutional rule, requiring bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,  
WOODRUFF,  
NEAL,  
COLLIE,  
MURPHY,  
BECK,

On the part of the Senate;

VAN ZANDT,  
HYDER,  
BARRON,  
ADAMSON,  
LATHAM,

On the part of the House.

On motion of Mr. Latham, the report was adopted by the following vote:

Yeas—102

Adamson.	Ford.
Alexander.	Fuchs.
Alsup.	Glass.
Baker.	Golson.
Barrett.	Good.
Beck.	Goodman.
Bedford.	Greathouse.
Bourne.	Griffith.
Bradley.	Hankamer.
Burns.	Harris.
Calvert.	Head.
Canon.	Hester.
Cathey.	Hill of Brazoria.
Celaya.	Hill of Webb.
Clayton.	Hodges.
Colson.	Hoskins.
Coombes.	Huddleston.
Crossley.	Hughes.
Daniel.	Hunt.
Davidson.	Hunter.
Dean.	Hyder.
Devall.	Jackson.
Dwyer.	James.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Few.	Jones of Shelby.
Fisher.	Kyle of Hays.

Kyle of Palo Pinto.	Renfro.
Laird.	Riddle.
Latham.	Roberts.
Lemens.	Rogers of Hunt.
Leonard.	Rollins.
Lindsey.	Ross.
Long.	Russell.
Lotief.	Scarborough.
Mackay.	Scott.
Magee.	Shannon.
McClain.	Stanfield.
McGregor.	Steward.
Merritt.	Stovall.
Metcalfe.	Stubbeman.
Mitcham.	Tarwater.
Moffett.	Tennyson.
Moore.	Thomas.
Morse.	Townsend.
Munson.	Turlington.
Patterson.	Van Zandt.
Pope.	Wagstaff.
Puryear.	Walker.
Ratliff.	Winningham.
Reed of Dallas.	Wood.

Nays—3

Aikin.	Reed of Bowie.
Hicks.	

Absent

Barron.	McCullough.
Butler.	McDougald.
Camp.	McKee.
Caven.	Morrison.
Chastain.	Nicholson.
Cowley.	Palmer.
Dunlap.	Parkhouse.
Dunagan.	Pavlica.
Duvall.	Ramsey.
Graves.	Ray.
Harman.	Reader.
Harrison.	Savage.
Hartzog.	Shults.
Holekamp.	Smith.
Holland.	Stinson.
Jefferson.	Sullivant.
Johnson	Tillery.
of Anderson.	Vaughan.
Johnson	Weinert.
of Dimmit.	Wells.
Kayton.	Young.
Mathis.	

Absent—Excused

Anderson.	Rogers
Holloway.	of Ochiltree.

#### SENATE BILL NO. 54 ON SECOND READING

On motion of Mr. Hartzog, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 54, "An Act amending Sections Eight (8), Nine (9), and

Ten (10), of Chapter 186, General Laws of Texas, Thirty-ninth Legislature, Regular Session, 1925. Said chapter providing for the construction and maintenance of State highways under the control of the State Highway Department, regulating the making of highway contracts, and providing for security therefor; the sections so amended to be hereinafter set out in full, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

#### SENATE BILL NO. 54 ON THIRD READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—81

Aikin.	Laird.
Alsup.	Latham.
Baker.	Lemens.
Burns.	Leonard.
Calvert.	Lindsey.
Canon.	Mackay.
Clayton.	Magee.
Crossley.	McClain.
Daniel.	Merritt.
Duvall.	Metcalf.
Dwyer.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Few.	Morrison.
Fisher.	Morse.
Ford.	Palmer.
Fuchs.	Patterson.
Glass.	Ratliff.
Golson.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Riddle.
Hankamer.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rogers
Hill of Brazoria.	of Ochiltree.
Hill of Webb.	Ross.
Hodges.	Russell.
Huddleston.	Savage.
Hughes.	Scarborough.
Hunter.	Shannon.
Hyder.	Steward.
Jackson.	Stinson.
James.	Stubbeman.
Jones of Atascosa.	Sullivant.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kyle of Hays.	Tillery.
Kyle of Palo Pinto.	Townsend.

Van Zandt.  
Wagstaff.  
Walker.

Wells.  
Winningham.  
Young.

#### Nays—19

Adamson.	Long.
Barrett.	Lotief.
Bourne.	Munson.
Coombes.	Puryear.
Dean.	Reed of Bowie.
Good.	Rollins.
Graves.	Scott.
Hester.	Stanfield.
Hicks.	Tarwater.
Hunt.	

#### Present—Not Voting

Alexander.	Goodman.
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#### Absent

Barron.	Johnson
Beck.	of Anderson.
Bedford.	Johnson
Bradley.	of Dimmit.
Butler.	Kayton.
Camp.	Mathis.
Cathey.	McCullough.
Caven.	McDougald.
Celaya.	McGregor.
Chastain.	McKee.
Colson.	Nicholson.
Cowley.	Parkhouse.
Davidson.	Pavlica.
Devall.	Pope.
Dunlap.	Ramsey.
Dunagan.	Ray.
Harman.	Reader.
Harris.	Shults.
Harrison.	Smith.
Holekamp.	Stovall.
Holland.	Turlington.
Hoskins.	Vaughan.
Jefferson.	Weinert.
	Wood.

#### Absent—Excused

Anderson.	Holloway.
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The Speaker then laid Senate Bill No. 54 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

#### Yeas—114

Adamson.	Bourne.
Aikin.	Burns.
Alexander.	Calvert.
Alsup.	Camp.
Anderson.	Canon.
Baker.	Cathey.
Barrett.	Celaya.
Beck.	Clayton.
Bedford.	Colson.

Daniel.	McGregor.
Davidson.	Merritt.
Dean.	Mitcham.
Dunlap.	Moffett.
Duvall.	Moore.
Engelhard.	Morrison.
Fain.	Morse.
Few.	Munson.
Fisher.	Palmer.
Ford.	Patterson.
Fuchs.	Pope.
Glass.	Purveyar.
Golson.	Ramsey.
Good.	Ratliff.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Hankamer.	Renfro.
Harrison.	Riddle.
Hartzog.	Roberts.
Head.	Rogers of Hunt.
Hicks.	Rogers
Hill of Brazoria.	of Ochiltree.
Hill of Webb.	Ross.
Hodges.	Russell.
Huddleston.	Savage.
Hunt.	Scarborough.
Hunter.	Scott.
Hyder.	Shannon.
Jackson.	Stanfield.
James.	Steward.
Jefferson.	Stinson.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Stubbeman.
Jones of Shelby.	Sullivant.
Kayton.	Tarwater.
Kyle of Hays.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Laird.	Tillery.
Latham.	Townsend.
Lemens.	Van Zandt.
Leonard.	Vaughan.
Lindsey.	Wagstaff.
Long.	Walker.
Lotief.	Weinert.
Mackay.	Winningham.
Magee.	Wood.
Mathis.	Young.
McCullough.	

Nays—1

Rollins.

Absent

Barron.	Harman.
Bradley.	Harris.
Butler.	Hester.
Caven.	Holekamp.
Chastain.	Holland.
Coombes.	Hoskins.
Cowley.	Hughes.
Crossley.	Johnson
Devall.	of Anderson.
Dunagan.	Johnson
Dwyer.	of Dimmit.
Goodman.	McClain.

McDougald.	Ray.
McKee.	Shults.
Metcalfe.	Smith.
Nicholson.	Turlington.
Parkhouse.	Wells.
Pavlica.	

Absent—Excused

Holloway.

# REPORT OF THE COMMITTEE ON PRIVILEGES, SUFFRAGE AND ELECTIONS

The following report was ordered  
printed in the Journal:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke R. Stevenson, Speaker,  
House of Representatives, Austin,  
Texas.

Dear Mr. Speaker: Pursuant to your direction, that the Committee on Privileges, Suffrage and Elections take under consideration a petition addressed to you by J. Lambert Lain and thirty-seven others, of Cleburne, Texas, which petition alleged that Hon. Vernon Lemens was a resident of Austin during the month of November, 1932, and had been a resident of Austin since 1926; that he resides and maintains a home at 3101 Tom Green Street, Austin, Texas; that he is married and the head of a family and has purchased a home at 3101 Tom Green Street, Austin; that he has a law practice at Austin, Room 1204, Norwood Building; and, that in consideration of the foregoing, he is ineligible to sit as a Member of the House of Representatives, under Article III, Section 23, of the Constitution of the State of Texas, and asking that the House of Representatives exercise its prerogative under Article III, Section 8, of the Constitution of the State of Texas, and declare the place of Representative from the Ninety-eighth Floterial District, vacant, and so certify to the Governor, the Committee on Privileges, Suffrage and Elections has had said petition under consideration, and I have been instructed, by a unanimous vote of the Committee, to report to you as follows:

The Hon. Vernon Lemens appeared at the meeting the the Committee on Privileges, Suffrage and Elections when said petition was under advisement, and refuted the statements con-

tained therein. Mr. Lemens stated that he has a home in Somervell County, which he considers his homestead; that he has always considered himself a resident of that county; that he has always voted in that county; that the residence at 3101 Tom Green Street, Austin, is an apartment house, which is the property of his wife. Mr. Lemens does not deny that he has spent much of his time in Austin, but he reminded the Committee that he was a student in the University of Texas for several years, and that during the years since 1926, much of the time he has been compelled to be in Austin in order to attend the Regular and Special Sessions of the Legislature.

The Committees expressed itself as being satisfied with Mr. Lemens' statement, believes after a full hearing that the charges contained therein are unfounded, and recommends to you that no further action be taken.

Respectfully submitted,

(Signed) HOMER L. LEONARD,

Chairman,  
Committee on Privileges, Suffrage and Elections.

The Liverpool & London & Globe Insurance Company, Limited

Cleburne, Texas, Sept. 15, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Dear Sir: Enclosed herewith a petition regarding the eligibility of Vernon W. Lemens, Floterial Representative of the Ninety-eighth District of Texas, which we hope your Honorable Body will give careful consideration.

The facts set out in this petition were verified before they were drawn, and I feel sure that you will have no trouble in satisfying yourself of the facts as stated therein.

This petition was drawn and circulated this afternoon, and many other signatures could have been secured in this vicinity had the time been sufficient to secure them. However, I feel the mere calling attention to the facts is sufficient.

I am,

Yours truly,

J. LAMBERT LAIN, Agent.

State of Texas  
County of Johnson

To: The Speaker of the House of Representatives.

Re: Vernon W. Lemens, Floterial Representative, Ninety-eighth Representative District, State of Texas—Eligibility.

The Members of the House of Representatives, State of Texas, Austin, Texas.

Gentlemen: Now comes your petitioners, qualified electors of the said Ninety-eighth Floterial District, and would respectfully show to your Honorable Body that the Floterial Representative from this District, the Honorable Vernon W. Lemens, is not qualified to represent this District as a member of the House of Representatives for the following reasons, to wit:

At the time of Mr. Lemens' election to the House of Representatives in November, 1932, he was a resident of Austin, Travis County, Texas, and has been a resident of said county since 1926; that he resides at 3101 Tom Green Street, Austin, Texas; he is married and head of a family, and has purchased a home at 3101 Tom Green Street, Austin, Texas; Mr. Lemens has a law practice in Austin, Texas. His place of business is 1204 Norwood Building, Austin, Texas.

For the reasons stated, we believe that Mr. Lemens is ineligible to sit as a member of the House of Representatives under Article III, Section 23, of the Constitution of the State of Texas; and we most respectfully ask that you exercise your prerogative under Article III, Section 8, of the Constitution of the State of Texas, which declares that each House shall be the judge of the qualifications of its Members, and that said vacancy be certified to the Governor of Texas.

We have no personal quarrel with Mr. Lemens, but believe that we are entitled to a representation in truth and in fact, Mr. Lemens, by reason of his long continued residence in Austin, does not and cannot know the



needs and desires of the people of his District.

Respectfully submitted,

G. C. Martin (Magan, Texas), Dr. A. C. Burna, L. S. Moore, Lena Meals, I. F. Wade, Cash Zimmerman, S. A. Harris, H. S. Ford, W. T. Bradberry, T. L. Lain, H. H. Muceith, But Davis, Jeweh Dewall, Mae Hale, Murphy Pickle, Bess James, Roy T. Reeves, R. T. Bradberry, J. Lambert Fain, C. H. Warren, Roy L. Doak, C. W. Scott, J. H. Coursey, S. W. Chapman, T. F. Johnson, Lee Battle, H. L. Chambless, John Miller, H. H. Baggett, G. Van-nama, J. P. Hutchenson, J. M. Peacock, D. S. Cohen, C. Dempwolf, C. E. Dempwolf, J. J. Wofford, C. E. Vickers.

#### SENATE BILL NO. 65 ON SECOND READING

On motion of Mr. McGregor, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 65, A bill to be entitled "An Act amending Section 1 of Chapter 207, Acts of the Forty-third Legislature, so as to authorize the Highway Commission to institute condemnation proceedings on behalf of the State, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Kyle of Hays offered the following amendment to the bill:

Amend Senate Bill No. 65 by adding to the first sentence of the Article 6674-n the words "except as herein otherwise provided," and by adding a new sentence after the word "provided" of the above amendment and before the word "the" the following:

"Provided that when re-routing and re-locating State designated highways, located within towns and cities of more than two hundred (200) population, according to the preceding Federal Census, said changes in the routing and re-locating of said highways proposed or contemplated by the Highway Commission shall not be made unless the permission of the county commissioners court of the county wherein said town or city is located shall be first had and obtained, and the Attorney General shall not

condemn the same unless said permission is secured and adequate proof made thereof."

Mr. Alexander raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Mr. McGregor moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—56

Adamson.	Jones of Runnels.
Aikin.	Kayton.
Alexander.	Lemens.
Alsup.	Leonard.
Barrett.	Long.
Beck.	McClain.
Burns.	McCullough.
Calvert.	McGregor.
Camp.	Metcalf.
Canon.	Moore.
Clayton.	Morse.
Coombes.	Munson.
Daniel.	Nicholson.
Davidson.	Patterson.
Dean.	Pope.
Duvall.	Reader.
Dwyer.	Rogers of Hunt.
Engelhard.	Rogers
Few.	of Ochiltree.
Fisher.	Savage.
Goodman.	Shannon.
Greathouse.	Stinson.
Griffith.	Stovall.
Hankamer.	Townsend.
Hill of Webb.	Van Zandt.
Holland.	Vaughan.
Hughes.	Wagstaff.
Hyder.	Young.
Jackson.	

#### Nays—52

Baker.	Huddleston.
Bourne.	Hunt.
Bradley.	Hunter.
Colson.	James.
Fain.	Jones of Atascosa.
Ford.	Kyle of Hays.
Fuchs.	Kyle of Palo Pinto.
Glass.	Laird.
Golson.	Latham.
Good.	Lotief.
Graves.	Mackay.
Harris.	Magee.
Head.	Merritt.
Hester.	Mitcham.
Hicks.	Moffett.
Hill of Brazoria.	Palmer.

Puryear.	Stanfield.
Ratliff.	Steward.
Reed of Bowie.	Stubbeman.
Renfro.	Sullivant.
Riddle.	Tennyson.
Roberts.	Tillery.
Ross.	Walker.
Russell.	Wells.
Scarborough.	Winningham.
Scott.	Wood.

## Present—Not Voting

Tarwater.

## Absent

Barron.	Johnson
Bedford.	of Dimmit.
Butler.	Jones of Shelby.
Cathey.	Lindsey.
Caven.	Mathis.
Celaya.	McDougald.
Chastain.	McKee.
Cowley.	Morrison.
Crossley.	Parkhouse.
Devall.	Pavlica.
Dunlap.	Ramsey.
Dunagan.	Ray.
Harman.	Reed of Dallas.
Harrison.	Rollins.
Hartzog.	Shults.
Hodges.	Smith.
Holekamp.	Thomas.
Hoskins.	Turlington.
Jefferson.	Weinert.
Johnson	
of Anderson.	

## Absent—Excused

Anderson. Holloway.

Mr. Kyle of Hays offered the following amendment to the bill:

Amend Senate Bill No. 65 by adding a new Section as follows:

"Section —. The provisions of this Act shall not apply within incorporated cities and towns."

KYLE of Hays,  
STUBBEMAN.

Mr. Hankamer moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Kyle of Hays, it was lost.

Mr. Kyle of Hays offered the following amendment to the bill:

Amend Senate Bill No. 65 by adding a new Section, as follows:

"Section —. The provisions of this Act shall not apply to counties hav-

ing a population of 14,900 to 14,920, according to the last Federal Census."

The amendment was lost.

Senate Bill No. 65 was then passed to third reading.

## MOTION TO TAKE UP SENATE BILL NO. 65

Mr. McGregor moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 65 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—82

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Palo Pinto.
Barrett.	Lemens.
Bourne.	Leonard.
Bradley.	Long.
Burns.	Mackay.
Calvert.	Magee.
Camp.	McClain.
Canon.	McGregor.
Cathey.	Metcalfe.
Celaya.	Moffett.
Clayton.	Moore.
Coombes.	Morrison.
Crossley.	Morse.
Daniel.	Palmer.
Davidson.	Patterson.
Duvall.	Pope.
Dwyer.	Reader.
Engelhard.	Renfro.
Few.	Roberts.
Fisher.	Rogers of Hunt.
Ford.	Rogers
Glass.	of Ochiltree.
Golson.	Ross.
Good.	Savage.
Greathouse.	Shannon.
Griffith.	Steward.
Hankamer.	Stinson.
Harman.	Stovall.
Harris.	Tarwater.
Hartzog.	Tennyson.
Head.	Thomas.
Hill of Webb.	Townsend.
Holland.	Van Zandt.
Hughes.	Vaughan.
Hunter.	Wagstaff.
Hyder.	Walker.
Jackson.	Wood.
James.	Young.
Jones of Atascosa.	

## Nays—24

Baker.

Dean.

Fain.  
Goodman.  
Graves.  
Hicks.  
Huddleston.  
Kyle of Hays.  
Latham.  
Lotief.  
Merritt.  
Munson.  
Puryear.

Ratliff.  
Reed of Bowie.  
Riddle.  
Rollins.  
Russell.  
Scarborough.  
Scott.  
Stanfield.  
Stubbeman.  
Sullivant.  
Tillery.

## Absent

Barron.	Johnson
Beck.	of Dimmit.
Bedford.	Laird.
Butler.	Lindsey.
Caven.	Mathis.
Chastain.	McCullough.
Colson.	McDougald.
Cowley.	McKee.
Devall.	Mitcham.
Dunlap.	Nicholson.
Dunagan.	Parkhouse.
Fuchs.	Pavlica.
Harrison.	Ramsey.
Hester.	Ray.
Hill of Brazoria.	Reed of Dallas.
Hodges.	Shults.
Holekamp.	Smith.
Hoskins.	Turlington.
Hunt.	Weinert.
Jefferson.	Wells.
Johnson	Winningham.
of Anderson.	

## Absent—Excused

Anderson.           Holloway.

## HOUSE BILL NO. 120 WITH SENATE AMENDMENTS

Mr. Bradley called up, from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 120, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and as further amended by Chapter 94, Section 1, of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Bradley, the House concurred in the Senate amendments by the following vote:

## Yeas—93

Adamson.	Baker.
Alexander.	Bedford.

Bourne.  
Bradley.  
Burns.  
Calvert.  
Camp.  
Cathey.  
Celaya.  
Clayton.  
Crossley.  
Daniel.  
Davidson.  
Dean.  
Devall.  
Duvall.  
Engelhard.  
Few.  
Fisher.  
Ford.  
Fuchs.  
Glass.  
Golson.  
Graves.  
Greathouse.  
Griffith.  
Hankamer.  
Harman.  
Harris.  
Hartzog.  
Head.  
Hill of Brazoria.  
Hill of Webb.  
Huddleston.  
Hughes.  
Hunter.  
Hyder.  
Jackson.  
James.  
Jefferson.  
Jones of Atascosa.  
Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Palo Pinto.  
Laird.  
Lemens.

Leonard.  
Lindsey.  
Long.  
Lotief.  
Mackay.  
Magee.  
McClain.  
Merritt.  
Metcalfe.  
Moffett.  
Moore.  
Morrison.  
Morse.  
Munson.  
Palmer.  
Patterson.  
Pope.  
Puryear.  
Ramsey.  
Ratliff.  
Reader.  
Renfro.  
Riddle.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Russell.  
Savage.  
Scarborough.  
Shannon.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Tarwater.  
Tennyson.  
Thomas.  
Townsend.  
Van Zandt.  
Wagstaff.  
Walker.  
Winningham.

## Nays—9

Aikin.	Sullivant.
Barrett.	Tillery.
Fain.	Vaughan.
Hicks.	Wood.
Reed of Bowie.	

## Present—Not Voting

Reed of Dallas.

## Absent

Alsup.	Coombes.
Barron.	Cowley.
Beck.	Dunlap.
Butler.	Dunagan.
Canon.	Dwyer.
Caven.	Good.
Chastain.	Goodman.
Colson.	Harrison.

Hester.	McGregor.
Hodges.	McKee.
Holekamp.	Mitcham.
Holland.	Nicholson.
Hoskins.	Parkhouse.
Hunt.	Pavlica.
Johnson	Ray.
of Anderson.	Scott.
Johnson	Shults.
of Dimmit.	Smith.
Kyle of Hays.	Stubbeman.
Latham.	Turlington.
Mathis.	Weinert.
McCullough.	Wells.
McDougald.	Young.

Absent—Excused

Anderson. Holloway.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the conference committee to further consider the differences on House Bill No. 179.

The Senate has adopted the conference committee report on House Bill No. 121 by the following vote: Yeas, 26; nays, 4.

The Senate has adopted

H. C. R. No. 73-a, Suspending Joint Rule XI for the purpose of taking up and considering Senate Bill No. 71.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### REASON FOR VOTE

Mr. Winningham submitted the following explanation of his vote on House Bill No. 149:

House Journal for Tuesday, October 10, page 496, shows that I voted nay on House Bill No. 149, and I desire to state that I have consistently voted to give the people protection from unjustified foreclosures, and in view of the fact that the nay vote recorded in the Journal does not reflect my convictions, is contrary to other votes I have cast on moratoriums for little home owners, I offer this explanation of my stand.

WINNINGHAM.

#### SENATE BILL NO. 75 ON SECOND READING

On motion of Mr. Burns, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 75, A bill to be entitled "An Act making appropriations to pay contingent expenses of State prosecuting attorneys before the Court of Criminal Appeals, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to third reading.

#### SENATE BILL NO. 75 ON THIRD READING

Mr. Burns moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 75 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93

Adamson.	Holland.
Aikin.	Hoskins.
Alexander.	Hughes.
Alsup.	Hunt.
Baker.	Hyder.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jones of Atascosa.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Latham.
Celaya.	Leonard.
Clayton.	Lindsey.
Colson.	Long.
Crossley.	Lotief.
Daniel.	Mackay.
Davidson.	Magee.
Dean.	Mathis.
Duvall.	McClain.
Dwyer.	Merritt.
Fisher.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Graves.	Palmer.
Greathouse.	Patterson.
Griffith.	Pope.
Hankamer.	Ramsey.
Head.	Ratliff.
Hester.	Reed of Dallas.
Hicks.	Renfro.
Hill of Brazoria.	Riddle.
Hill of Webb.	Roberts.

Ross.	Tarwater.
Russell.	Tennyson.
Savage.	Thomas.
Scarborough.	Tillery.
Scott.	Townsend.
Shannon.	Van Zandt.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Winningham.
Stubbeman.	Young.
Sullivant.	

## Nays—13

Barrett.	Puryear.
Fain.	Reed of Bowie.
Good.	Rogers of Hunt.
Hodges.	Rollins.
Huddleston.	Stovall.
Hunter.	Vaughan.
Mitcham.	

## Absent

Barron.	Johnson
Butler.	of Dimmit.
Cathey.	Kyle of Palo Pinto.
Caven.	Laird.
Chastain.	Lemens.
Coombes.	McCullough.
Cowley.	McDougald.
Devall.	McGregor.
Dunlap.	McKee.
Dunagan.	Metcalf.
Engelhard.	Nicholson.
Few.	Parkhouse.
Goodman.	Pavlica.
Harman.	Ray.
Harris.	Reader.
Harrison.	Rogers of Ochiltree.
Hartzog.	Shults.
Holekamp.	Smith.
Jefferson.	Turlington.
Johnson	Weinert.
of Anderson.	Wells.
	Wood.

## Absent—Excused

Anderson.	Holloway.
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The Speaker then laid Senate Bill No. 75 before the House on its third reading and final passage.

The bill was read third time, and was passed.

### MOTION TO TAKE UP SENATE BILL NO. 65

Mr. Russell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 65 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

## Yeas—88

Adamson.	Kayton.
Aikin.	Leonard.
Alexander.	Lindsey.
Alsup.	Long.
Barrett.	Mackay.
Beck.	Magee.
Bedford.	Mathis.
Bourne.	McClain.
Bradley.	McGregor.
Burns.	Metcalf.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Clayton.	Morrison.
Colson.	Morse.
Crossley.	Palmer.
Daniel.	Patterson.
Davidson.	Pope.
Dean.	Ramsey.
Duvall.	Reader.
Engelhard.	Reed of Dallas.
Few.	Renfro.
Fisher.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Ross.
Greathouse.	Savage.
Griffith.	Shannon.
Hankamer.	Stanfield.
Harman.	Steward.
Harris.	Stinson.
Hartzog.	Stovall.
Head.	Tarwater.
Hill of Brazoria.	Tennyson.
Hill of Webb.	Tillery.
Hodges.	Townsend.
Holland.	Van Zandt.
Hoskins.	Vaughan.
Hughes.	Wagstaff.
Hyder.	Walker.
Jackson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

## Nays—30

Baker.	Lotief.
Cathey.	McCullough.
Dwyer.	Merritt.
Fain.	Munson.
Fuchs.	Puryear.
Graves.	Ratliff.
Hester.	Reed of Bowie.
Hicks.	Riddle.
Huddleston.	Rollins.
Hunt.	Russell.
Hunter.	Scarborough.
James.	Scott.
Kyle of Hays.	Stubbeman.
Kyle of Palo Pinto.	Sullivant.
Latham.	Thomas.

## Absent

Barron.	Johnson
Butler.	of Dimmit.
Caven.	Laird.
Celaya.	Lemens.
Chastain.	McDougald.
Coombes.	McKee.
Cowley.	Nicholson.
Devall.	Parkhouse.
Dunlap.	Pavlica.
Dunagan.	Ray.
Ford.	Shults.
Harrison.	Smith.
Holekamp.	Turlington.
Jefferson.	Weinert.
Johnson	Wells.
of Anderson.	

## Absent—Excused

Anderson.	Holloway.
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## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
adopted

S. C. R. No. 34, Suspending Joint  
Rule XI so as to permit the House  
of Representatives to consider, and  
finally pass, Senate Bill No. 99.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

CONFERENCE COMMITTEE RE-  
PORT ON SENATE BILL NO. 78

Mr. Latham submitted the follow-  
ing conference committee report on  
Senate Bill No. 78:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives, and  
Hon. Edgar E. Witt, President of  
the Senate.

Sirs: We, your conference commit-  
tee, appointed to adjust the differences  
in

S. B. No. 78, A bill to be entitled  
"An Act to amend Article 1111, Re-  
vised Civil Statutes of Texas, 1925, as  
amended, granting to cities and towns  
power in reference to the building,  
purchasing, improving, enlarging, ex-  
tending and repairing of light, water,  
sewer, or natural gas systems, sani-

tary disposal equipment and appli-  
ances, parks and/or swimming pools,  
and hospitals, either or all, and the  
franchise and income thereof, to se-  
cure the payment of funds therefor;  
authorizing the encumbrance of said  
properties and/or revenues and income  
therefrom, the granting to a fore-  
closure purchaser of an operating  
franchise for a period of twenty  
years; providing that obligations is-  
sued therefor shall never constitute  
debts of such city or town and shall  
never be reckoned in determining the  
power of such city or town to issue  
bonds prescribing certain requisites  
before cities and towns may use Fed-  
eral funds in duplicating services of  
existing facilities; amending Article  
1112, of the Revised Civil Statutes of  
Texas, 1925, as amended, so as to  
require an election before selling said  
system, that if such system or hospi-  
tal is to be constructed, purchased,  
improved, enlarged, extended, or re-  
paired, or existing indebtedness there-  
on refunded, no election on such pro-  
vision shall be necessary unless a  
referendum election is requested as  
required by law; amending Article  
1113, Revised Civil Statutes of Texas,  
1925, as amended, so as to include  
hospitals and to provide for inspection  
for annual reports thereunder; pro-  
viding for the leasing of hospitals  
hereunder; re-enacting Article 1114 as  
heretofore existing; repealing all laws  
and parts of laws in conflict herewith,  
validating all securities heretofore  
issued under the provisions of Articles  
1111 to 1118, inclusive, as amended,  
all proceedings commenced for the  
issuance of such securities, all acts of  
governing bodies and of officials of  
such cities and towns, all acts of  
trustees named in any mortgages or  
indentures in respect of such securi-  
ties, the appropriation and pledge of  
revenues of such system or systems,  
the mortgage or indenture on the  
properties and franchise of any such  
system or systems, validating all acts  
of said cities and towns, the govern-  
ing bodies thereof and the officers  
thereof in proceedings leading up to  
the sale and delivery of such securi-  
ties, mortgages and indentures, and  
authorizing completion of such sale  
and delivery heretofore authorized,  
except for failure to comply with  
statutes prescribing notice, competi-  
tive bidding and the right to referen-  
dum; providing that securities issued  
hereunder and according to this Act

shall be negotiable under the Uniform Negotiable Instruments Act, legalizing said securities for investment by various fiduciaries and institutions, and declaring an emergency”;

Have had said bill under consideration, and we recommend that the attached bill, which is substantially the original bill, be passed in lieu of the original.

“S. B. No. 78,

# A BILL

## To Be Entitled

An Act to amend Article 1111, Revised Civil Statutes of Texas, 1925, as amended, granting cities and towns power in reference to the building, purchasing, improving, enlarging, extending, and repairing of light, water, sewer, or natural gas systems, sanitary disposal equipment and appliances, parks and/or swimming pools and hospitals, either or all, and the franchise and income thereof, to secure the payment of funds therefor; authorizing the encumbrance of said properties and/or revenues and income therefrom, the granting to a foreclosure purchaser of an operating franchise for a period of twenty years; providing that obligations issued therefor shall never constitute debts of such city or town, and shall never be reckoned in determining the power of such city or town to issue bonds; prescribing certain requisites before cities and town may use Federal funds in duplicating services of existing facilities; amending Article 1112, of the Revised Civil Statutes of Texas, 1925, as amended, so as to require an election before selling said system; that if such system or hospital is to be constructed, purchased, improved, enlarged, extended, or repaired, or existing indebtedness thereon refunded, an election shall be necessary. Amending Article 1113, Revised Civil Statutes of Texas, 1925, as amended, so as to include hospitals and to provide for inspection and for annual reports; providing for the leasing of hospitals hereunder; reenacting Article 1114, as heretofore existing; repealing all laws and parts of laws in conflict herewith; validating all securities heretofore issued under the provisions of Ar-

ticles 1111 to 1118, inclusive, as amended, all proceedings commenced for the issuance of such securities, all acts of governing bodies and officials of such cities and towns, all acts of trustees named in any mortgages or indentures in respect to such securities, the appropriation and pledge of revenues of such system or systems, the mortgage or indenture on the properties and franchise of any such system or systems, validating all acts of said cities and towns, the governing bodies thereof, and the officers thereof in proceedings leading up to the sale and delivery of such securities, mortgages, and indentures, and authorizing completion of such sale and delivery heretofore authorized, except for failure to comply with statutes prescribing notice, competitive bidding, and the right to referendum; providing that securities issued hereunder and according to this Act shall be negotiable under the Uniform Negotiable Instruments Act, legalizing said securities for investment by various fiduciaries and institutions, and declaring an emergency.”

Be it enacted by the Legislature of the State of Texas:

Section 1. Amend Article 1111, Revised Civil Statutes of Texas, 1925, as amended by Chapter 194, Acts of the Regular Session of the Fortieth Legislature, as further amended by Chapter 32, Acts of the Third Called session of the Forty-second Legislature, and as further amended by Chapter 122, Acts of the Regular Session of the Forty-third Legislature, so that same shall hereafter be and read as follows:

“Article 1111. All cities and towns, including home rule cities, shall have power to build and purchase, to mortgage and encumber their light systems, water systems, sewer systems, or sanitary disposal equipment and appliances, or natural gas systems, parks, and/or swimming pools or hospitals, either, or all, and the franchise and income thereof, and everything pertaining thereto acquired or to be acquired and to evidence the obligation therefor by the issuance of bonds, notes or warrants, and to secure the payment of funds to purchase same; or to purchase additional water powers, riparian rights, or to build,

improve, enlarge, extend or repair such systems, or any of them, including the purchase of equipment and appliances for the sanitary disposal of excreta and offal, and as additional security therefor, by the terms of such encumbrance, may grant to the purchaser under sale or foreclosure thereunder, a franchise to operate the systems and properties so purchased for a term of not over thirty (30) years after purchase, subject to all laws regulating same then in force. Such notes, bonds, or warrants may be secured by pledge of the net income and revenue of any such system or systems or by pledge of such income and revenues, and also by mortgaging the properties comprising any such system or systems. No such obligation of any such system shall ever be a debt of such city or town, but solely a charge upon the revenues and/or properties of the system so encumbered, and shall never be reckoned in determining the power of any such city or town to issue any bonds for any purpose authorized by law; provided, that no such city or town shall be authorized under the provisions hereof to obtain funds from the Federal Government or any of its agencies which are to be expended in duplicating services already being performed by existing facilities, unless it shall have been first determined by such agency of the Federal Government that the services then being supplied by existing facilities are inadequate to meet the needs and necessities of such city or town."

Sec. 2. Amend Article 1112 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 194, Acts of the Regular Session of the Fortieth Legislature, as further amended by Chapter 32, Acts of the Third Called Session of the Forty-second Legislature, and as further amended by Chapter 122, Acts of the Regular Session of the Forty-third Legislature, so that same shall hereafter be, and read as follows:

"Article 1112. No such light, water, sewer or natural gas systems, parks, and/or swimming pools or hospitals shall ever be constructed, purchased, improved, enlarged, extended, repaired, or sold until such construction, purchase, improvement, enlargement, extension, repair, or sale is authorized by a majority vote of the qualified voters of such city or town at an election held for such purpose.

Such vote in either case shall be ascertained at an election, which election shall be held and notice thereof given as is provided in the case of the issuance of municipal bonds of such cities or towns. Nothing herein provided shall be construed as repealing any of the provisions of House Bill No. 312, Chapter 163, Acts of the Regular Session of the Forty-second Legislature, except where in direct conflict therewith."

Sec. 3. Amend Article 1113, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 194, Acts of the Regular Session of the Fortieth Legislature, as further amended by Chapter 32, Acts of the Third Called Session of the Forty-second Legislature, and as further amended by Chapter 122, Acts of the Regular Session of the Forty-third Legislature, so that same shall hereafter be and read as follows:

"Article 1113. Whenever the income of any light, water, sewer, or natural gas systems, parks, and/or swimming pools, or hospitals shall be encumbered under this law, the expense of operation and maintenance, including all salaries, labor, materials, interest, repairs, and extensions necessary to render efficient service and every proper item of expense shall always be a first lien and charge against such incomes. Provided, that only such repairs and extensions, as in the judgment of the governing body of such city or town, are necessary to keep the plant or utility in operation and render adequate service to such city or town and the inhabitants thereof, or such as might be necessary to meet some physical accident or condition which would otherwise impair the original securities, shall be a lien prior to any existing lien. The rates charged for services furnished by any such system shall be equal and uniform, and no free service shall be allowed except for city public schools or buildings and institutions operated by such city or town; provided, however, that necessary charity work may be rendered in such hospitals. There shall be charged and collected for such services a sufficient rate to pay all operating, maintenance, depreciation, replacement, betterment, and interest charges, and for interest and sinking fund sufficient to pay any bonds issued to purchase, construct, or im-



prove any such systems or any outstanding indebtedness against same; provided, however, that any hospital may be leased for an annual rental sufficient to pay for maintenance, depreciation, replacement, betterment, and interest charges, and for interest and sinking fund sufficient to pay any bonds issued to purchase, construct, or improve any hospital, or any outstanding indebtedness against the same. No part of the income of any such system shall ever be used to pay any other debt, expense, or obligation of any such city or town until the indebtedness so secured shall have been finally paid.

"Hereafter, it shall be the duty of the mayor or manager of all cities and towns operating municipally-owned utilities to install and maintain, or cause to be installed and maintained, a complete system of records and accounts showing the free service rendered, and the value thereof, and showing separately the amounts expended and/or set aside for operation, salaries, labor, materials, repairs, maintenance, depreciation, replacements, extensions, interest, and the creation of a sinking fund to pay off such bonds and indebtedness.

"It shall likewise be the duty of the superintendent or manager of such plant to file with the mayor of such city or town, not later than February 1, a detailed report of the operations of such plant for the year ending January 1 preceding, showing the total sums of money collected and the balance due, as well as the total disbursements made and the amounts remaining unpaid as the result of operation of such plant during such calendar year, and such reports shall be kept on file by the mayor or manager as permanent records, and shall be open to inspection by any citizen of such city or town.

"Failure or refusal on the part of the mayor to install and maintain, or cause to be installed and maintained, such system of records and accounts within ninety (90) days after the completion of such plant, or on the part of such superintendent or manager, to file or cause to be filed such report, shall constitute a misdemeanor and, on conviction thereof, such mayor or superintendent or manager shall be subject to a fine of not less than one hundred dollars (\$100), nor more than one thousand dollars (\$1,000); and

any taxpayer, citizen, or holder of such indebtedness shall have the right, by appropriate civil action in the district court of the county in which such city or town is located, to enforce the provisions of this Act as amended."

Sec. 4. That Article 1114 of the Revised Civil Statutes of Texas for 1925, as heretofore amended, be amended so as to hereafter read as follows:

"Article 1114. Every contract, bond, note, or other evidence of indebtedness issued or included under this law shall contain this clause: 'The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.' Where bonds are issued hereunder, they may be presented to the Attorney General for his approval as is provided for the approval of municipal bonds issued by such cities or towns. In such case, the bonds shall be registered by the State Comptroller as in the case of other municipal bonds."

Sec. 5. Where the governing body of any city or town has authorized or issued securities, or has commenced proceedings for the issuance of securities, for any of the purposes authorized by Articles 1111 to 1118, inclusive, Revised Civil Statutes of 1925, or any amendment thereto, all acts and proceedings had and done in connection therewith by the governing body, or officials of such city or town, and the trustee named in any mortgage or indenture in respect of such securities, the appropriation and pledge of revenues of such system or systems, the mortgage or indenture on the properties and franchise of any such system or systems to secure payment of such securities, and the said securities are hereby ratified, confirmed, legalized, approved, and validated. In event any of said securities, or any parcel or installment thereof, have not been sold, issued, delivered, or put into circulation, power and authority is hereby expressly conferred upon and delegated to the governing body of any such city or town, the mayor, city secretary, city treasurer, or other proper officer thereof, and the trustee named in such mortgage or indenture, to discharge and perform all acts and duties necessary in the issuance or sale and delivery of such bonds, and such governing body is hereby further

authorized to adopt all other and further orders, resolutions, or ordinances necessary in the issuance, sale, delivery, and payment of said bonds, or any parcel or installment thereof, provided that nothing herein shall be construed as validating any warrants, bonds, or other securities not issued in compliance with those provisions of Chapter 163, Acts of the Forty-second Legislature relating to notice, competitive bidding and right of a referendum election.

Sec. 6. All securities issued under the provisions of this law and in accordance therewith shall be negotiable for all purposes set forth in the Uniform Negotiable Instruments Act.

Sec. 7. The provisions of this Act are cumulative of all other laws and parts of laws of this State relating to the same subject, except where the same are in conflict therewith, and in case of such conflict the provisions of this Act shall supersede such existing statutes and laws.

Sec. 8. Projects financed in accordance with this law are hereby declared to be self-liquidating in character and supported by means other than by taxation.

Sec. 9. The fact that cities and towns are hindered in the making and financing of necessary improvements because of the insufficiency of the present law, which will be relieved by this Act, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and such rule is hereby suspended, and that this Act take effect immediately from and after its passage, and it is so enacted.

Respectfully submitted,

SMALL,  
WOODWARD,  
PACE,  
HOPKINS,  
RAWLINGS,

On the part of the Senate;

LATHAM,  
VAN ZANDT,  
MOFFETT,  
GOOD,  
STEWART,

On the part of the House.

On motion of Mr. Van Zandt, the report was adopted by the following vote:

Yeas—102

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Laird.
Alsup.	Latham.
Anderson.	Lemens.
Baker.	Leonard.
Beck.	Long.
Bedford.	Mackay.
Bourne.	Mathis.
Calvert.	McCullough.
Canon.	McGregor.
Cathey.	Merritt.
Celaya.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Crossley.	Morrison.
Daniel.	Morse.
Davidson.	Munson.
Dean.	Palmer.
Devall.	Patterson.
Dunlap.	Pope.
Duvall.	Ratliff.
Dwyer.	Reader.
Engelhard.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Riddle.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Rollins.
Graves.	Ross.
Greathouse.	Russell.
Hankamer.	Savage.
Harman.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Stanfield.
Hester.	Steward.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Tarwater.
Hodges.	Tennyson.
Holland.	Thomas.
Hoskins.	Tillery.
Huddleston.	Van Zandt.
Hughes.	Vaughan.
Hunter.	Wagstaff.
Hyder.	Walker.
Jackson.	Wood.
James.	Young.
Jefferson.	

Nays—7

Burns.	Lindsey.
Fain.	Lotief.
Fisher.	Puryear.
Kyle of Palo Pinto.	

Absent

Barrett.	Barron.
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Bradley.	McClain.
Butler.	McDougald.
Camp.	McKee.
Caven.	Metcalf.
Chastain.	Nicholson.
Coombes.	Parkhouse.
Cowley.	Pavlica.
Dunagan.	Ramsey.
Griffith.	Ray.
Harrison.	Roberts.
Holekamp.	Shults.
Hunt.	Smith.
Johnson	Stinson.
of Anderson.	Stubbeman.
Johnson	Townsend.
of Dimmit.	Turlington.
Jones of Atascosa.	Weinert.
Kayton.	Wells.
Kyle of Hays.	Winningham.
Magee.	

Absent—Excused

Holloway.

### SENATE BILL NO. 71 ON THIRD READING

On motion of Mr. Laird, the regular order of business was suspended, to take up, and have placed on its third reading and final passage,

S. B. No. 71, A bill to be entitled "An Act to amend Article 5155,, Revised Civil Statutes, 1925, as amended by the Regular Session of the Forty-third Legislature, 1933, providing for payment of wages semi-monthly; amending Article 5157, providing for penalty; repealing Article 5158 and Article 5159, Revised Civil Statutes, 1925; excepting municipal corporations and wages earned in agricultural and stock-raising pursuits, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

Mr. Laird offered the following amendment to the bill:

Amend Senate Bill No. 71 by adding, after Section 3, the following, to be known as Section 3-a:

"Section 3-a. The supervision of the enforcement of this Act is hereby placed with the State Board of Labor Statistics, and for the purpose of carrying out the provisions of this Act, and the other duties of that Bureau, there is hereby appropriated, out of the unappropriated and unexpended balance received by that Department from licenses and other fees under the provisions of House Bill No. 832, Chapter 241, Acts of the

Regular Session of the Forty-third Legislature and deposited with the State Treasury to the credit of the Boxing and Wrestling Enforcement Fund, the sum of six thousand six hundred and forty dollars (\$6,640), for the purpose of employing three additional deputies to the Labor Commissioner, and or inspectors, each to receive a salary of one thousand three hundred and eighty dollars (\$1,380) per annum, the balance to be used for traveling and other expenses of this Department. The amount hereby appropriated shall be exclusive of the six thousand five hundred dollars (\$6,500) appropriated under the provisions of House Bill No. 832, of the Regular Session of the Forty-third Legislature, and it shall in no way interfere with the purposes provided for in that bill. Provided further, that no part of the appropriation herein appropriated shall be used for the enforcement of the State Boxing Law."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 71 was then passed.

### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 121

Mr. Harman submitted the following conference committee report on House Bill No. 121:

Senator Woodruff sent up the following conference committee report on House Bill No. 121:

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee, appointed to adjust the difference between the House and Senate on

H. B. No. 121, A bill to be entitled "An Act appropriating the sum of twelve hundred dollars (\$1,200) for each of the two (2) years beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred cases under

the provisions of Chapter 151 of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature; and appropriating twenty thousand dollars (\$20,000) out of the Highway Fund for salary and expense in the defense of certain suits against the State of Texas and five hundred dollars (\$500) of the General Revenue Fund to defray the actual and necessary expenses of the attorney before the Court of Criminal Appeals in certain cases; and to employ a stenographer in the State Service Office, and declaring an emergency,"

Have had same under consideration and beg leave to report back to the House and Senate with our recommendations the following bill:

"H. B. No. 121,

### A BILL

#### To Be Entitled

"An Act appropriating the sum of twelve hundred dollars (\$1,200) for each of the two (2) years beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred cases under the provisions of Chapter 151 of the General Laws of the State of Texas, passed by the Regular Session of the Forty-third Legislature; and appropriating twenty thousand dollars (\$20,000) out of the Highway Fund for salary and expense in the defense of certain suits against the State of Texas, and five hundred dollars (\$500) of the General Revenue Fund to defray the actual and necessary expenses of the attorney before the Court of Criminal Appeals in certain cases; and to employ a stenographer in the State Service Office, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of twelve hundred dollars (\$1,200) for each of the two years beginning September 1, 1933, and September 1, 1934, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated for the actual and necessary traveling and living expenses incurred by the various Justices of the Courts

of Civil Appeals in hearing oral arguments in transferred cases, under the provisions of Chapter 151, of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature, 1933.

Sec. 1-a. That the sum of five hundred dollars (\$500) is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, or so much thereof as may be necessary, to defray the actual and necessary traveling expenses of the Assistant Attorney General before the Court of Criminal Appeals in appearing before the Supreme Court of the United States in causes wherein the State of Texas is a party.

Sec. 1-b. For the purpose of enabling the State Highway Commission to investigate the facts, and to conduct and maintain its present organization of legal investigation and to furnish the Attorney General with all the necessary facts and assistance in the conduct and defense of such suits as have been heretofore authorized by the Legislature, and such suits as have heretofore, or may hereafter be, instituted under such authority, and to enable the State Highway Commission to employ attorneys, investigators, and clerical assistance, and to defray expenses in connection with such investigations and such assistance, there is hereby appropriated, from the State Highway Fund, the sum of twenty thousand dollars (\$20,000) for the use and benefit of the State Highway Commission, which is hereby authorized to fix salaries of all such employes, and the Attorney General shall be entitled to their services when needed by him for such purposes. The above and foregoing amount, appropriated herein, shall be paid out of the State Highway Fund upon warrants issued by the State Comptroller, as provided by Chapter 1, Title 116, Revised Civil Statutes, 1925.

Sec. 1-c. That the sum of nine hundred dollars (\$900) for each of the years beginning September 1, 1933, and September 1, 1934, is hereby appropriated, out of any moneys in the State Treasury not otherwise appropriated, to be expended by the State Service Officer in the employment of one stenographer at a salary not to exceed seventy-five dollars (\$75) per month.

Sec. 2. The fact that under the provisions of Chapter 151, of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature, requires various Justices of the Courts of Civil Appeals in the State of Texas to travel out of the district to hear oral arguments in cases which had been transferred in order to equalize the amount of business in said districts and the further fact that no appropriation had heretofore been made to pay said traveling and living expenses for the biennium ending August 31, 1935, and the further fact that numerous persons have been authorized by the Forty-third Legislature, Regular and First Called Sessions, 1933, to file and prosecute certain suits against the State Highway Department and the State of Texas and the appropriations made to defray the actual and necessary salaries and expenses therefor are inadequate, and the further fact that the Assistant Attorney General before the Court of Criminal Appeals is required to appear before the Supreme Court of the United States on behalf of the State of Texas in a certain cause or causes, for which there is no appropriation for the expenses incident thereto, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

WOODRUFF,  
MOORE,  
BECK,  
REDDITT,

On the part of the Senate;

HARMAN,  
AIKIN,  
CLAYTON,  
RIDDLE,  
SULLIVANT,

On the part of the House.

Mr. Harman moved that the report be adopted.

Mr. Scott moved that the report be not adopted.

Question first recurring on the motion by Mr. Scott, it prevailed by the following vote:

Yeas—62

Adamson.	Jones of Runnels.
Aikin.	Kyle of Palo Pinto.
Alexander.	Latham.
Alsup.	Lindsey.
Baker.	Long.
Beck.	Lotief.
Bourne.	Mathis.
Burns.	McCullough.
Calvert.	McGregor.
Camp.	Merritt.
Canon.	Morrison.
Colson.	Pope.
Crossley.	Puryear.
Daniel.	Ramsey.
Dean.	Reed of Bowie.
Devall.	Renfro.
Fain.	Riddle.
Fisher.	Rogers
Glass.	of Ochiltree.
Good.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Griffith.	Scott.
Harris.	Stanfield.
Hester.	Steward.
Hicks.	Stubbeman.
Hill of Brazoria.	Tennyson.
Hodges.	Thomas.
Huddleston.	Tillery.
Hughes.	Vaughan.
Hunter.	Winningham.
James.	

Nays—34

Anderson.	Jefferson.
Barrett.	Jones of Shelby.
Bedford.	Kayton.
Clayton.	Lemens.
Davidson.	Mackay.
Duvall.	Mitcham.
Few.	Moffett.
Ford.	Moore.
Fuchs.	Parkhouse.
Golson.	Rollins.
Goodman.	Scarborough.
Harman.	Shannon.
Hartzog.	Stinson.
Head.	Sullivant.
Hill of Webb.	Townsend.
Hyder.	Van Zandt.
Jackson.	Wagstaff.

Present—Not Voting

Hankamer.	Palmer.
Kyle of Hays.	Wood.
Leonard.	

Absent

Barron.	Coombes.
Bradley.	Cowley.
Butler.	Dunlap.
Cathey.	Dunagan.
Caven.	Dwyer.
Celaya.	Engelhard.
Chastain.	Harrison.

Holekamp.	Patterson.
Holland.	Pavlica.
Hoskins.	Ratliff.
Hunt.	Ray.
Johnson	Reader.
of Anderson.	Reed of Dallas.
Johnson	Roberts.
of Dimmit.	Rogers of Hunt.
Jones of Atascosa.	Shults.
Laird.	Smith.
Magee.	Stovall.
McClain.	Tarwater.
McDougald.	Turlington.
McKee.	Walker.
Metcalfe.	Weinert.
Morse.	Wells.
Munson.	Young.
Nicholson.	

Absent—Excused

Holloway.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on Senate Bill No. 78 by the following vote: Yeas, 28; nays, 0.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### PROVIDING FOR ADVANCE SESSION LAWS

Mr. Reed of Dallas offered the following resolution:

Whereas, "Ray's Advance Session Laws" will be issued a few days after adjournment of this session, containing all general laws passed, and will be the only copies obtainable for some time; therefore, be it

Resolved, That the House of Representatives subscribe for one copy each of said laws at seventy-five cents (75c) per copy, to be paid for out of the contingent fund of the House to the publisher, Worth S. Ray.

REED of Dallas,  
SAVAGE.  
PARKHOUSE,  
COOMBES,  
HUGHES,  
STINSON.

The resolution was read second time, and was adopted.

#### COMMITTEE TO INVESTIGATE USE OF STATE-OWNED AUTOMOBILES

The Speaker announced the appointment of the following committee in regard to the investigation of State-owned automobiles: Messrs. Merritt, Coombes, and Devall.

#### COMMITTEE TO INVESTIGATE ALLEGED SELLING OF STATE JOBS

Committee in conformity with the provisions of House Simple Resolution No. 45: Messrs. Burns, Graves, Chastain, Long, and Daniel.

#### COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee in compliance with House Concurrent Resolution No. 7, Providing for the investigation of alleged violations of the Nepotism Law: Messrs. Cathey, Griffith, and James.

#### HOUSE BILL NO. 116 ON SECOND READING

On motion of Mr. Hankamer, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 116, A bill to be entitled "An Act validating all issues of funding and refunding notes, bonds, warrants, time warrants, and treasury warrants heretofore issued or authorized to be issued and attempted to be issued by any and all cities in the State operating under charters adopted or amended under the provisions of Article XI, Section 5, of the Constitution of Texas, having a population in excess of one hundred thousand, according to the last preceding United States Census, issued and attempted to be issued under authority of House Bill No. 312, of the Forty-second Legislature; etc., and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 116 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be sus-

pending, and that House Bill No. 116 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—101**

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Latham.
Anderson.	Lemens.
Baker.	Long.
Barrett.	Lotief.
Beck.	Mackay.
Bourne.	McCullough.
Burns.	Merritt.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Celaya.	Morrison.
Clayton.	Morse.
Colson.	Munson.
Crossley.	Palmer.
Daniel.	Parkhouse.
Davidson.	Pavlica.
Dean.	Pope.
Devall.	Puryear.
Fain.	Ramsey.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Ross.
Hankamer.	Russell.
Harman.	Savage.
Harris.	Scarborough.
Head.	Scott.
Hester.	Shannon.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Steward.
Hodges.	Stinson.
Hoskins.	Stovall.
Huddleston.	Stubbeman.
Hughes.	Sullivan.
Hunt.	Tarwater.
Hunter.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Van Zandt.
Jefferson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Wood.
Jones of Shelby.	Young.

**Nays—2**

Rollins.                      Winningham.

**Absent**

Barron.                      Bradley.  
Bedford.                     Butler.

Cathey.	Leonard.
Caven.	Lindsey.
Chastain.	Magee.
Coombes.	Mathis.
Cowley.	McClain.
Dunlap.	McDougald.
Dunagan.	McGregor.
Duvall.	McKee.
Dwyer.	Metcalfe.
Engelhard.	Nicholson.
Few.	Patterson.
Fisher.	Ratliff.
Harrison.	Ray.
Hartzog.	Reader.
Hicks.	Shults.
Holekamp.	Smith.
Holland.	Townsend.
Johnson	Turlington.
of Anderson.	Walker.
Johnson	Weinert.
of Dimmit.	Wells.
Laird.	

**Absent—Excused**

Holloway.

The Speaker then laid House Bill No. 116 before the House on its third reading and final passage.

The bill was read third time, and was passed.

**REQUEST OF SENATE GRANTED**

On motion of Mr. Laird, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 71.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Laird, James, Griffith, Jefferson, and Jones of Shelby.

**MOTION TO TAKE UP SENATE BILL NO. 111**

Mr. Leonard moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 111, A bill to be entitled "An Act amending Section 7, of Chapter 13, of the Third Called Session of the Forty-second Legislature, as amended by Senate Bill No. 300, passed by the Regular Session of the Forty-third Legislature, by adding thereto Section (a-1) relating to payment of refunding eligible road districts; and providing that the board of county and district road indebtedness may continue to contribute and pay on such

refunding bonds at the same rates and in the same amount it would have paid under the rates and maturities on such indebtedness before same was refunded; providing that any reduction of interest on refunding bonds shall inure to the county so refunding; and providing for the written consent and approval of such board by the commissioners court before refunding, and declaring an emergency."

The motion was lost.

#### HOUSE CONCURRENT RESOLUTION NO. 33 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 33, Granting J. W. Mayes permission to sue the State.

The Speaker laid the resolution before the House with the Senate amendments.

On motion of Mr. Leonard, the House concurred in the Senate amendments.

#### RELATIVE TO THE EXPENSE ACCOUNTS OF MEMBERS

Mr. Morse offered the following resolution:

Whereas, A number of the Members of the House have used all of their telephone and telegraph allowance in the discharge of their duties as Members of the First Called Session of the Forty-third Legislature; and

Whereas, The resolution passed at the beginning of this Session provided an amount not sufficient to cover the expenses of these Members during the entire Session; now, therefore, be it

Resolved, That Members be allowed a sufficient increase in these accounts to cover actual expenditures for the balance of this Session, upon affidavit to the Committee on Contingent Expenses that additional amounts were necessary in the discharge of their duties as Members of the House of Representatives.

MORSE,  
KAYTON.

The resolution was read second time, and was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 71, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Poage, Redditt, Collie, Oneal, and Duggan.

The Senate has adopted

S. C. R. No. 35, Suspending Joint Rule XI, so as to permit the House of Representatives to consider and finally pass Senate Bill No. 107.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 161

Mr. Harman submitted the following conference committee report on House Bill No. 161:

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the House and Senate on

H. B. No. 161, A bill to be entitled "An Act making an appropriation out of general revenues of the State of Texas for the balance of the fiscal year ending August 31, 1934, to be used by the State Parks Board, and declaring an emergency,"

Have had the same under consideration, and beg leave to report that we recommend that the Senate recede from Senate amendments Nos. 1 and 2, and that the bill as passed by the House be passed with an amendment striking out the words and figures "twelve thousand five hundred dollars (\$12,500); and in-



sert in lieu thereof the words and figures "ten thousand dollars (\$10,000)."

Respectfully submitted,

SMALL,  
REGAN,  
DUGGAN,

On the part of the Senate;

HARMAN,  
TOWNSEND,  
HOPKINS,  
PALMER,

On the part of the House.

On motion of Mr. Harman, the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 116, A bill to be entitled "An Act validating all issues of funding and refunding notes, bonds, warrants, time warrants, and treasury warrants heretofore issued or authorized to be issued and attempted to be issued by any and all cities in the State operating under charters adopted or amended under the provisions of Article XI, Section 5, of the Constitution of Texas, having a population in excess of one hundred thousand, according to the last preceding United States Census, issued and attempted to be issued under authority of House Bill No. 312, of the Forty-second Legislature; etc., and declaring an emergency."

The Senate has refused to adopt the conference committee report on House Bill No. 161, and requests the appointment of a new conference committee to adjust the differences. The following have been appointed on the part of the Senate: Senators Moore, Collie, Woodruff, Fellbaum, and Stone.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### INVITING QUARTET TO SING

Mr. Coombes offered the following resolution:

Whereas, In Austin there is a quartet of colored people known as the Lone Star Quartet, who are known to sing the songs that are loved by us all; now, therefore, be it

Resolved by the House of Representatives, That the Lone Star Quartet be invited to sing before the House of Representatives at a time convenient to the Membership thereof, during this evening.

SCOTT,  
SCARBOROUGH,  
COOMBES,  
GOOD,  
DUNAGAN,  
HYDER,  
McCULLOUGH.

The resolution was read second time, and was adopted.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 32, "An Act to aid the City of Palacios and the village of Collegeport, both situated in Commissioner's Precinct No. 3, of Matagorda County, Texas, in constructing and maintaining sea walls, breakwaters, shore protection in order to protect said city and village from calamitous overflows by donating to them eight-ninths (8/9) of the ad valorem taxes collected on all property, both real and personal, in Commissioner's Precinct No. 3, of Matagorda County, Texas, for a period of thirty years; providing for a commission to construct such sea walls, breakwaters, and shore protection; providing for compensation for members of said commission; providing a penalty for misapplication of the moneys thus donated, and declaring an emergency."

S. B. No. 44, "An Act to authorize all banks and bank and trust companies and savings banks, incorporated under the laws of Texas, to purchase, hold, and dispose of stock in the Federal Deposit Insurance Corporation, created by the Act of Congress, known as the Banking Act of 1933, and to comply with all requirements enabling banks and bank and trust companies and savings banks,

incorporated under the laws of Texas, to purchase, hold, and dispose of said stock in the Federal Deposit Insurance Corporation, and declaring an emergency."

S. B. No. 80, "An Act to authorize the Board of Regents of The University of Texas to execute bond in a sum not in excess of one million two hundred thousand dollars, to obtain funds with which to complete the Main Building of The University of Texas; to pledge that part of the Available University Fund arising from grazing and other surface leases of University lands to secure same; and to authorize said Board to make contracts for the construction of dormitories, and declaring an emergency."

S. B. No. 98, "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to purchase, acquire, and construct permanent improvements, including dormitories, stadia, and athletic fields, and for the improvement of such structures heretofore erected; providing for the equipping and furnishing of the same; providing for the insurance and registration of revenue bonds and revenue notes, and for disposition and pledging of the revenues derived from the operation and control of such dormitories, athletic fields, stadia, and other improvements, authorizing the purchase and sale of certain lands; imposing the power to contract, and vesting general authority in the Board of Directors for the purposes of carrying out the provisions hereof, and declaring an emergency."

S. B. No. 54, "An Act amending Sections Eight (8), Nine (9), and Ten (10), of Chapter 186, General Laws of Texas, Thirty-ninth Legislature, Regular Session, 1925. Said chapter providing for the construction and maintenance of State highways under the control of the State Highway Department, regulating the making of highway contracts, and providing for security therefor; the sections so amended to be hereinafter set out in full, and declaring an emergency."

S. B. No. 113, "An Act to amend Section 4, of Chapter 13, Acts of the First Called Session of the Thirty-ninth Legislature, and declaring an emergency."

S. B. No. 94, "An Act to authorize the selection of school depositories for independent school districts created by the Legislature prior to January 1, 1920, in certain counties regardless of the scholastic population of said districts, and declaring an emergency."

S. B. No. 69, "An Act creating Valley Conservation and Reclamation District, embracing the Counties of Cameron, Hidalgo, and Willacy; defining powers and purposes for which said district is created; providing for appointment of directors and defining their powers and duties; authorizing said district to contract with, and to receive grants from, United States Government or any of its agencies or departments, and with the State of Texas and its agencies and departments; making an appropriation to defray expenses of surveys, etc.; authorizing State Departments of Reclamation and Health and the Texas Rehabilitation and Relief Commission to co-operate with, aid, and assist said district, and declaring an emergency."

S. B. No. 33, "An Act to appropriate the unexpended balance in the State Treasury on September 1, 1933, to the credit of a separate fund provided for by Section 9, Senate Bill No. 111, passed at the Second Called Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 75, "An Act making appropriations to pay contingent expenses of State prosecuting attorneys before the Court of Criminal Appeals, and declaring an emergency."

S. B. No. 85, "An Act authorizing the temporary closing and suspension of State banks, bank and trust companies under certain conditions for the purpose of conserving the assets thereof and formulating and executing a plan of liquidation or reorganization, providing for the appointment of a depositors committee to examine and investigate the condition of the suspended bank and to formulate and recommend a plan of liquidation or reorganization, and permitting such plan when approved by the Banking Commissioner of Texas and depositors and other creditors of the bank representing at least seventy-five per cent in amount of its total deposits and other liabilities, authorizing the

proper administrative official, officials, board or tribunal in charge of deposits or funds belonging to the State of Texas, any county, city, common school district, independent school district, or other political subdivision of this State to participate in and agree to such plan of liquidation or reorganization and prescribing the duties of the Banking Commissioner in such cases, and declaring an emergency."

S. B. No. 50, "An Act to amend Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, by adding thereto a section to be known as Section 7-a, providing that the Board of County and District Road Indebtedness shall keep accurate minutes of its proceedings and make semi-annual reports to each county and giving the commissioners court of any county the right to inspect and audit the records of said board and of the State Treasurer and requiring said Board of County and District Road Indebtedness to make annual reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives; and providing for the return to each county affected of all moneys and securities belonging to it in the event Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended, shall be repealed or become inoperative for any reason; and providing that the funds of the several counties shall be deposited in State depositories and draw interest for said counties, and that interest earned on securities be credited to the owner county; and providing for the exemption from certain named provisions of said Chapter 13, as amended, of any county having a depository secured by surety bonds or which has deposited adequate securities and in which county no depository has defaulted for three years and which county has not defaulted in the payment of principal or interest on any bonds for five years and which county has its sinking funds at legal standard and which county has levied adequate tax rates in support of all outstanding bonds, and giving to such county when exempted the exclusive right of investment of its sinking funds; and providing the

mode and manner of making application by the county judge for exemption of his county from certain named provisions of said Chapter 13, as amended, and requiring the Board of County and District Road Indebtedness to inspect the records of applicant counties and return its findings within thirty days of said application and outlining in detail the procedure by which a county may become exempt from the operation of the certain named provisions of said Chapter 13, as amended.

S. B. No. 48, "An Act authorizing the State Comptroller of Public Accounts to prescribe and prepare forms to be used in all counties not having a county auditor in the collection and disbursement of revenues, funds, fees, and other moneys, and to prescribe the mode and manner of keeping and stating their financial accounts; authorizing the State Comptroller to make a survey and study of the financial records, reports, books, and forms now in use by the counties of this State, and to make such revision, and to prescribe such forms which may be necessary; and authorizing the State Comptroller to employ a certified public accountant for said purposes; making an appropriation, and declaring an emergency."

S. B. No. 28, "An Act restoring jurisdiction of the County Court of Duval County."

S. B. No. 24, "An Act making an appropriation for the preparation, checking, investigation, and correction of the scholastic census, to the State Department of Education, etc."

S. B. No. 103, "An Act to provide for the granting of charters for corporations, and the renewal thereof, for the purchase, sale and distribution of water and water rights, and the building of pipe lines, plants, and the equipment thereof; to provide the conditions under which charters for the same may be granted, and to authorize such corporations to borrow money from the Government of the United States of America or any agency thereof, and to issue its notes and bonds as evidence of its indebtedness; to authorize the issuance of stock on which shall be paid no dividends, and to provide for the distribution of the profits of such corporation

to towns, cities and other political subdivisions of the State as well as private corporations and individuals who shall be customers of such corporation in the purchase of water, said dividends to be issued in direct proportion to the amount of business transacted by such contractees with said corporation; to provide the method of selecting the governing body and officers of such corporation; to authorize such corporation to lease, purchase, own and hold such property, real and personal, as may be required for its purposes; to limit the salary and expenses to be paid to the executive officers and legal representatives of such corporation; to grant to such corporation power of eminent domain to obtain rights of way for pipe lines and other necessary sites and to authorize such corporations to make contracts for the sale and delivery of water in exchange for right of ways, if in the judgment of the board of directors of said corporation the same be necessary; and declare an emergency requiring this bill to become operative immediately."

S. B. No. 101, "An Act granting permission to the Gainesville Red River Bridge Company to sue the State Highway Commission as such, and the State of Texas upon a purported contract; fixing venue; making an appropriation to cover the expenses of the Attorney General in defending such suit; providing for the payment of any judgment which may be recovered against the Highway Commission as such and/or the State of Texas; providing for appeals, and declaring an emergency."

S. B. No. 67, "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law or county boards of trustees and boards of such districts; validating all proceedings and acts of said board of trustees, heretofore taken by such boards of trustees; validating all bonds, voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions, and declaring an emergency."

S. B. No. 70, "An Act to authorize certain counties, cities, towns, independent school districts, common school districts, water improvement districts, water control and improvement district, navigation districts, drainage districts, and other municipal corporations, and non-profit private corporations, authorized and existing under the Constitution and laws of this State, to borrow money, and to receive grants and other aid from the Government of the United States, the Federal Emergency Administrator of Public Works, the Reconstruction Finance Corporation, the Federal Reserve Banks, and any and all other fiscal agencies of the Government of the United States, authorized to make loans or grants; and to authorize such counties, cities, towns, and other public municipal corporations, above enumerated and described, to issue warrants, or other obligations of such corporations as evidence of such loans; and authorizing any and all such counties, cities, towns, and other public municipal corporations to pledge taxes and other prospective revenues, for which provision is made under the Constitution and laws of this State for the repayment of such loans; and declaring an emergency; and authorizing non-profit corporations to lend or grant aid to persons entitled thereto."

S. B. No. 97, "An Act creating a water conservation and reclamation district as a public corporation under Section 59, Article 16 of the Constitution of Texas, to be known as 'The Guadalupe River Authority'; defining the territory of such district; prescribing the purpose, authority, powers and privileges of such corporation; providing for directors of the corporation, their term of office, their compensation, their powers and duties, and for the employment by them of a secretary, manager, attorneys, auditors, engineers and other assistants; providing that the corporation may enter into contracts and other obligations, acquire and hold property, sue and be sued in its corporate name, for the borrowing of money, the issuance of bonds, notes, and other obligations, and encumbering and pledging of the property of the corporation; providing for the deposit, withdrawal and disbursement of funds, financial statements and disposition of net earnings; and declaring an emergency."

S. B. No. 4, "An Act providing for the transfer of the lien for taxes that the State, county, or defined subdivision thereof has upon any real property; providing by whom and under what conditions such transfer may be made; providing for the recording of such transfer, and the effect of such record; providing for paying by lienholder to person paying such taxes the taxes, cost, and interest, and receiving transfer to himself of the tax lien; providing for foreclosure of lien and sale and disposition of proceeds of sale; providing for redemptions from foreclosure sale, providing this Act shall not abridge the right of taxpayer to enter into contract with lienholders for payment of taxes, nor affect existing contracts; providing that if any provision of this Act is declared invalid or unconstitutional, it shall not affect any other provision of this Act, and declaring an emergency."

H. B. No. 63, "An Act to regulate the business of transporting persons for hire or for compensation over the public roads, highways, or bridges of the State of Texas, whether as a common carrier, contract or charter carrier, or as a transportation agency or travel bureau for obtaining a co-traveler or co-travelers to share the expense of a trip or to act as an intermediary in connection therewith as a broker for hire, agent, or otherwise, whereby the expense of a trip or trips is to be shared or to solicit, induce, or encourage another to purchase an interest in a motor vehicle in violation of this Act; etc."

S. B. No. 78, "An Act to amend Articles 1111, 1112, 1113, and 1114, of the Revised Civil Statutes of Texas for 1925, and amendments thereof as passed by the Fortieth Legislature, and as amended by Chapter 32, Acts of the Third Called Session of the Forty-second Legislature, and as amended by Chapter 122, Acts of the Forty-third Legislature, Regular Session; providing for the character of repairs and extensions necessary to render efficient service which shall be a first lien and charge upon the incomes of the particular utility which is repaired or extended, providing for proper records to be kept of income and expenses, providing a penalty for failure to maintain such

records, providing that bonds issued under the provisions of this Act may be approved by the Attorney General and registered by the Comptroller, declaring projects carried out under the terms of this Act to be self-liquidating, repealing laws in conflict herewith, providing that this law shall take precedence over conflicting charter provisions, validating all actions by cities and towns and their officials in authorizing an delivering securities to accomplish the object of this Act, and declaring an emergency."

S. B. No. 46, "An Act creating and establishing an official public agency of the State of Texas, the official title of which shall be 'Texas Employment and Relief Commission' and designating the membership thereof and prescribing the duties of said commission, authorizing the issuance of \$7,500,000 in bonds under authority of Section 51-a, Article III, of the Constitution of the State of Texas and providing the method of issuance, the sale and distribution of the proceeds arising from the sale thereof, designating the commissioners courts of the several counties in Texas as public agencies in connection with the distribution of said funds and designating the governing boards of cities and towns as public agencies for the purpose of distributing said funds, defining the duties of the county commissioners and other persons delegated to act in conjunction with the Texas Employment and Relief Commission and the commissioners courts, defining the purposes for which said money may be expended and defining the terms and conditions thereof, authorizing the employment of an executive secretary and other assistants, fixing salaries and requiring department heads and other State employes to render assistance in connection with the distribution of the funds, making it an offense to embezzle, misapply or convert said funds, repealing House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature at its Regular Session which created the Texas Rehabilitation and Relief Commission, and declaring an emergency."

S. B. No. 52, "An Act making an appropriation to reimburse growers and producers of cotton for expenses incurred during the years of 1929 through 1932, by reason of the establishment by the State of Texas of

regulations requiring such growers and producers to pay for fumigation of cotton and sterilization of seed, and also to pay expenses of the Compensation Claim Board in carrying out the provisions of this Act; providing no claim shall be paid from this fund unless same has been allowed by the Compensation Claim Board or by judgment as provided in Chapter 111, Title 4, Revised Civil Statutes of Texas of 1925, and as provided in Chapter 42, Acts of the Regular Session, Forty-first Legislature; providing none of said fund shall be used to reimburse anyone for land not planted to cotton by order of the Pink Boll Worm Commission creating a non-ton zone; providing that the certificate of the Chairman of the Board, approved by the State Commissioner of Agriculture shall be sufficient evidence to the Comptroller from which he shall audit the claims of persons, firms, and corporations, and members of the Compensation Claim Board for the issuance of warrants to cover the respective amounts; providing if any part of this Act is declared unconstitutional or invalid, it shall not affect the validity of the remainder; providing no money herein appropriated shall be paid for commissions or fees to any person for securing passage of this bill; providing if money herein appropriated is insufficient to pay the claims of all growers and producers in full, then it shall be prorated, and declaring an emergency."

H. B. No. 10, "An Act amending Title 126, Revised Civil Statutes, 1925, and Title 19 of the Penal Code of Texas, by adding a new article to each of said titles, to be known as Article 7438-a, Revised Civil Statutes of 1925, and Article 1644-a, Penal Code of Texas, so as to provide for and authorize an additional defense in all suits, actions, or prosecutions under said titles; and providing that such defense shall not be available in any pending cause or in any cause of action, whether sued upon or not, for any act, trade practice, or agreement committed, performed, or attempted to be performed prior to the adoption and approval of any code, trade practice, license, or agreement legally approved, performed, or issued under the terms of the National Industrial Recovery Act; and providing

for the additional remedy of injunction by the State for violations of the provisions of such titles in addition to all other penalties now provided by law; and providing for the duration and termination of this Act, and declaring an emergency."

H. B. No. 93, "An Act granting Commissioners Court of Childress County, Texas, power to use all or any part of the interest collected on notes held by the said Childress County against Childress County school land in Bailey and Cochran Counties, Texas, etc., and declaring an emergency."

H. B. No. 176, "An Act making an appropriation to pay deficiencies and bills of the Adjutant General's Department out of the General Fund; authorizing payments of such claims on the taking effect of this Act."

H. B. No. 212, "An Act to amend Article 1109-a, of the Revised Civil Statutes of 1925, of the State of Texas, passed by the Thirty-ninth Legislature, Acts of 1925, and known as House Bill No. 477, said Act being an Act entitled 'An Act to empower cities having more than one hundred and sixty thousand (160,000) inhabitants to purchase or otherwise acquire water systems, and additions, extensions, and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems; to issue bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same, and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale or foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers, and limiting the manner of their exercise; providing for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor, to make sale on default in payment; etc., and declaring an emergency."

H. B. No. 213, "An Act for the purpose of opening the waters of Lavaca Bay in Calhoun County, Texas, for shrimp trawling, during the months of September, October, November, and December of each year; opening Powder Horn Lake, in

Calhoun County, Texas, for seining, during the months of December, January, and February of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 200, "An Act amending Articles 2525, 2528, and 2533, Chapter —, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State depositories and reserve depositories on State funds; etc., and declaring an emergency."

H. B. No. 26, "An Act providing that all lands south of parallel of latitude 29° 25' North, lying and being situated in Brewster and Presidio Counties, heretofore or hereafter purchased by the State for delinquent taxes and which are not redeemed within the time prescribed by law shall become the property of the State of Texas for park purposes, and shall be under the control of the Texas State Parks Board; providing for the execution of deeds to the State of Texas for park purposes and for filing of certified copies in the General Land Office and the keeping of certain records by the Commissioner of the General Land Office; providing for the exchange or sale of said lands and execution of necessary instruments of conveyance or transfer; etc., and declaring an emergency."

S. B. No. 57, "An Act authorizing navigation districts without the voting of bonds or levying of taxes to acquire, purchase, take over, construct, enlarge, extend, repair, maintain, operate or develop wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, and facilities, lightering, barges, towing facilities, and all other facilities or aids incident to or necessary toward the operation or development of ports or waterways within such districts, and to borrow money therefor from the Federal Emergency Administration of Public Works, or other department or agency of the United States Government, and to mortgage and encumber any part or all of such properties, plants, facilities and aids and the revenues and

income to be derived therefrom to secure payment thereof, authorizing the issuance of obligations for the repayment thereof from such sources, authorizing the making of all contracts, leases and agreements in connection with such matters, providing if any part of this Act shall be held invalid it will not affect the remainder of the Act, and declaring an emergency."

H. B. No. 150, "An Act amending Article 7283, of the Revised Civil Statutes of Texas, 1925, reducing the cost of redeeming land sold for taxes, and specifying the time for redemption and the money to be paid therefor, and declaring an emergency."

H. B. No. 145, "An Act amending Article 1041, of the Revised Code of Criminal Procedure of Texas, by adding thereto Article 1041-a, providing for the compensation of jailers and/or turnkeys in all counties in the State having a population of one hundred thousand and one (100,001) inhabitants and not more than one hundred and fifty thousand (150,000) inhabitants, and containing two cities of fifty thousand (50,000) population or more, each according to the last preceding Federal Census, and declaring an emergency."

H. B. No. 132, "An Act making an additional allocation and appropriation of the revenues derived from the tax levied and collected on the gross sales of gas transmission lines by the provisions of Article 6060, Revised Civil Statutes, for the use of the Gas Utilities Division of the Railroad Commission in enforcing the provisions of Articles 6050 et seq., Revised Civil Statutes, relative to the regulation of gas utilities; limiting the amount to be used during any twelve months' period to \$70,000, as provided in Article 6066, and in all events to the amount of revenue collected in any such twelve months' period if a lesser sum be collected; etc., and declaring an emergency."

H. B. No. 120, "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and as further amended by Chapter 94, Section 1, of the Regular Session of the Forty-second Legislature, and declaring an emergency."



H. B. No. 194, "An Act authorizing certain independent school districts to receive donations of cash and donations of land upon which to build, erect, and construct buildings in which its junior colleges may be maintained and operated, and wherein an additional two years of college work may be taught so as to constitute a university; authorizing the board of education or board of trustees of such school districts to borrow money from the Federal Emergency Administration of Public Works under the provisions of the National Industrial Recovery Act, or from any other source, for the purpose of building, erecting, and constructing on such lands buildings for such purposes and the purchasing of necessary equipment and appliances, and the installation thereof in such buildings, and to mortgage and encumber such lands, buildings, equipment, and appliances, and the income, rents, tolls, fees, and other charges to be derived from the operation thereof, and to evidence the obligation therefor, by the issuance of bonds; etc., and declaring an emergency."

H. B. No. 129, "An Act to amend Article 8244, of the Revised Civil Statutes of 1925, governing the selection of depositories by all navigation districts whether created pursuant to Section 52, Article III, of the Constitution, or Section 59, Article XVI, of the Constitution; defining the powers of navigation and canal commissioners in the selection of such depositories; defining the powers and obligations of such depositories, and declaring an emergency."

H. B. No. 87, "An Act prohibiting the use of a seine or net for taking fish from any of the waters of Bastrop County, excepting a minnow seine for the purpose of taking bait; providing a penalty, and declaring an emergency."

H. B. No. 102, "An Act providing for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than seven thousand six hundred and forty-five (7,645) and not more than seven thousand six hundred and ninety (7,690) population, according to the last preceding Federal Census, from the county available school fund;

repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 147, "An Act to amend Article 1970, Section 94-b, of the Revised Civil Statutes of 1925, as amended by Chapter 16, Section 6, of the Acts of the Forty-first Legislature, relating to the salary paid the official court reporter of the County Court at Law, of Harris County, Texas."

H. B. No. 55, "An Act amending Subsection 4 and Subsection 5, of Section 2 and Section 9, Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, providing for monthly payment of tax levied, and prescribing the date upon which tax shall be paid, by whom it shall be paid; providing that if said tax is withheld by the purchaser and said purchaser fails to make payment of said tax to the State that the producer may have legal action against the purchaser by reason of such failure, and providing for attorney's fee; etc., and declaring an emergency."

H. B. No. 81, "An Act providing a privilege license for any person before engaging in the business of a commercial fisherman, wholesale fish dealer, retail fish dealer, bait dealer, fish guide; or before operating a shrimp trawl, net, or seine, or oyster dredge for taking any aquatic life from the waters of this State for pay; naming the licenses and the fees to be paid for same; limiting the length of a seine which may be licensed and the size of the mesh of seine which may be licensed after September 1, A. D. 1934; providing aquatic products are subject to inspection by any employee of Game, Fish, and Oyster Commission; providing a rebate for holders of licenses and permits heretofore issued by the Game, Fish, and Oyster Commission; etc., and declaring an emergency."

H. B. No. 11, "An Act making an appropriation, to be paid out of the General Revenue Fund of the State of Texas, the sum of one thousand five hundred dollars (\$1,500), not otherwise appropriated, to pay for an electric frigid unit for the Governor's Mansion; to build a retaining wall on the north side of the grounds of the Governor's Mansion; to fill the low



places on the north side of the grounds, and to do such other work as may be necessary, and declaring an emergency."

H. B. No. 20, "An Act defining certain words, terms, and phrases for the purpose of amending House Bill No. 578, Chapter 153, of the Acts of the Forty-third Legislature, so as to make it hereafter read as follows: "Providing and imposing a tax on sales in intrastate commerce in this State of cigarettes, according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the State Treasurer; etc., and declaring an emergency."

H. B. No. 57, "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Jasper and Newton Counties during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

H. B. No. 85, "An Act authorizing any county, political subdivision, or defined district thereof to hold an election for the purpose of determining whether it will repurchase any road bonds sold and outstanding at the time of the passage of this Act, out of unexpended and unpledged funds received from the original sale of said bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such road bonds; providing for the cancellation and destruction of such road bonds upon repurchase by reason of such election; etc., and declaring an emergency."

H. B. No. 41, "An Act amending Article 2529, Chapter 1, Title 47, Revised Civil Statutes of 1925, as amended by Chapter 57, First Called Session, Fortieth Legislature, as further amended by Chapter 124, General Laws, Regular Session, Forty-first Legislature, and as further amended by Senate Bill No. 551, Chapter 240, General Laws, Regular Session, Forty-third Legislature, to authorize the State Depository Board to accept warrants drawn against the General

Revenue Fund of the State as collateral to secure deposits made by the State in State depositories; etc., and declaring an emergency."

H. B. No. 88, "An Act to amend House Bill No. 555, Chapter 216, Acts of the Regular Session of the Forty-third Legislature, relating to salaries of county commissioners, and providing from what funds said salaries shall be paid, and making certain exceptions; providing the effective date of this Act shall be January 1, 1934; repealing all laws, both general or special, and parts of laws, both general or special, in conflict herewith, and making certain exceptions; and defining term 'assessed valuation.'"

H. B. No. 56, "An Act fixing the compensation of county commissioners in every county having a population of not less than 24,233 nor more than 24,333, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of ten million dollars for the next preceding year; fixing said salary when said taxable values are less than said sum, and declaring an emergency."

H. B. No. 116, "An Act validating all issues of funding and refunding notes, bonds, warrants, time warrants, and treasury warrants heretofore issued or authorized to be issued and attempted to be issued by any and all cities in the State operating under charters adopted or amended under the provisions of Article XI, Section 5, of the Constitution of Texas, having a population in excess of one hundred thousand, according to the last preceding United States Census, issued and attempted to be issued under authority of House Bill No. 312, of the Forty-second Legislature; etc., and declaring an emergency."

H. B. No. 112, "An Act to amend Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

H. B. No. 79, "An Act amending Chapter 101, of the Special Laws of

the Regular Session of the Forty-third Legislature, prohibiting the taking, killing, or possession of wild fox for the purpose of barter or sale, and prohibiting the use of steel traps for taking fur-bearing animals in certain counties, and declaring an emergency."

H. B. No. 146, "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 22,296 nor more than 22,580, according to the last Federal Census, and providing for the manner and the fund from which said salaries shall be paid, and declaring an emergency."

H. B. No. 84, "An Act empowering counties through their commissioners court to borrow money or receive grants of money from the Federal Emergency Administrator of Public Works or other Federal agency under the terms and provisions of the Act of the Congress of the United States commonly known as the National Industrial Recovery Act; providing that said money may be borrowed only for purposes for which counties may create a valid indebtedness and levy a tax to pay for said indebtedness; providing means for the securing by said counties of the repayment of such money borrowed; etc., and declaring an emergency."

H. B. No. 105, "An Act appropriating \$25,000 out of any funds of the State of Texas not otherwise appropriated, to be used to pay additional expense of publication of eight proposed amendments to the Constitution of Texas and for the subsequent holding of a general election at which said amendments are to be voted upon, said amount being herein appropriated to be used as payment of any difference in the amount of the costs of the publication of said amendments and holding of said election over and above the amounts of money already appropriated for said purpose, and declaring an emergency."

H. B. No. 17, "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, page 734, by adding thereto Section 5-a (Article 3886-a); providing for the maximum compensation for district attorneys and county attorneys in all counties in this State having a population of one hundred thousand and

one (100,001) and not more than one hundred and fifty thousand (150,000) inhabitants, and containing a city having a population in excess of seventy-five thousand (75,000) inhabitants, according to the last preceding Federal Census; etc., and declaring an emergency."

H. B. No. 90, "An Act to amend Subdivision 9, Article 2135, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 375, Chapter 221, Section 2, relating to active members of organized fire companies in cities and towns having a population of one thousand (1,000) or more inhabitants, according to the last preceding United States Census, etc., and declaring an emergency."

H. B. No. 40, "An Act releasing penalties and interest on ad valorem and poll taxes that were delinquent on or before July 1, 1933, due the State and certain subdivisions of the State, provided same are voluntarily paid on or before December 31, 1933, together with 2 per cent penalty, or on or before March 31, 1934, together with 4 per cent penalty, or on or before June 30, 1934, together with 6 per cent penalty; providing that Section 1 hereof shall not apply to delinquent taxes due to cities, towns, villages, special school districts, or independent school districts unless and until the governing body of such subdivision shall adopt the provisions hereof by resolution or ordinance; providing that nothing in Section 1 of this Act shall be construed as postponing, delaying, or extending the time for the payment of delinquent taxes covered by this Act, nor as prohibiting, postponing, or delaying the filing or prosecution of tax suits; defining the term 'voluntarily paid' as same is used herein; etc., and declaring an emergency."

H. B. No. 196, "An Act granting authority to the State Highway Department to acquire by purchase, and/or to construct, maintain, operate, and control ferries over and across any bay, arm, channel, or salt-water lake emptying into the Gulf of Mexico, or any inlet of the Gulf of Mexico, any river, or other navigable waters of this State, where such ferries connect designated

State highways, and which may be made self-liquidating or partially self-liquidating; providing for interstate ferries to be acquired by purchase, and to be maintained, operated, and controlled by the State of Texas, by the charging of tolls for the use thereof, and the right to charge reasonable tolls is hereby specifically granted to the State Highway Department under this Act, and declaring an emergency."

H. B. No. 199, "An Act to amend Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-third Legislature, Chapter 100, so as to permit the use of natural gas for representing, and declaring an emergency."

H. B. No. 195, "An Act making an appropriation to pay for fuel, light, and water for the Court of Civil Appeals, First Supreme Judicial District, at Galveston, Texas, and the Court of Civil Appeals, Sixth Supreme Judicial District, at Texarkana, Texas, for the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency."

H. B. No. 141, "An Act making it lawful to kill squirrels in Coleman and Palo Pinto Counties, at any time; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 203, "An Act to amend Acts, 1931, Forty-second Legislature, First Called Session, page 5, Chapter 3, relating to fishing in Gillespie and other counties, so as to change the tackle that may be lawfully used; the period for the open season; the legal length of certain fish; the number of fish which may be caught in Kendall County; prescribing a penalty, and declaring an emergency."

H. B. No. 123, "An Act creating a closed season upon wild turkey for a period of five (5) years in the Counties of Liberty and Hardin, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild turkey within said counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

H. B. No. 35, "An Act to make provision for: 1—(Section 1). The adoption of a home rule charter by counties in Texas, upon a vote of the qualified resident electors of such counties, all as provided in Section 3, Article IX, of the Constitution of the State of Texas; reference to such provisions of the Constitution here is made to the same effect as though it were embodied herein; etc., and declaring an emergency."

H. B. No. 46, "An Act providing for the creation of discharged convicts revolving fund, amending Article 6166-m, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, providing for the payment of money into said fund by the State Treasurer out of moneys remitted to him by the General Manager of the State Prison System; providing for reports of the condition of the discharged convicts revolving fund by the depositories, and declaring an emergency."

H. B. No. 67, "An Act amending Section or Subsection 12, of Article 199, of the Revised Civil Statutes of 1925, as amended in 1931; and changing the times of holding the terms of the district courts in the Twelfth Judicial District of Texas; and changing the length of terms of the district courts of certain of the counties in said judicial districts; and enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand petit jurors made necessary by the changes made by this Act, and validating and legalizing the same; providing that this Act shall take effect January 1, 1934, and declaring an emergency."

H. B. No. 184, "An Act amending Chapter 12, of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency."

H. B. No. 94, "An Act defining 'daily newspapers' or 'newspaper,' 'consecutive days' or 'successive days,' and words of similar meaning, within the meaning of any law, city charter, or ordinance, or any Act of the Legislature creating any independent school district or any

other municipal corporation; etc., and declaring an emergency."

H. B. No. 178, "An Act providing for the pledging of local school funds from district taxes and other local sources to be used to pay the interest and sinking fund on a loan or loans from the Federal Government for certain purposes; authorizing the pledging of annual tax receipts by the board of trustees, with the consent and approval of the county superintendent and the county board of school trustees; authorizing the making of contracts with lenders upon certain terms; providing for a sinking fund for the loans so made; requiring a certain amount to be placed in the sinking fund, and the greater amount where necessary; authorizing boards of trustees, with the consent and approval of the county superintendent and the county board of school trustees, to execute quitclaim deeds to school sites to the Federal Government; etc., and declaring an emergency."

H. B. No. 83, "An Act creating a closed season upon wild deer, buck, doe, fawn, wild turkey, or pheasant for a period of five (5) years in the County of Erath, State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, wild turkey, or pheasant for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

H. B. No. 205, "An Act to amend Subdivision 66, of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the terms of District Court in Hill County, constituting the Sixty-sixth Judicial District of Texas, and declaring an emergency."

H. B. No. 31, "An Act to provide pension fund for employes in all cities containing more than one hundred thousand (100,000) inhabitants and less than one hundred twenty thousand (120,000) inhabitants, according to the last preceding Federal Census, in counties containing more than nine hundred (900) square miles; providing for the creation of a board of trustees for the disbursement of said pension fund; directing the manner of disbursing said pension fund; and declaring an emergency."

H. B. No. 53, "An Act to amend Section 6, Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, by adding thereto, Section 6-a, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof in the transportation of his poultry, dairy, live stock, and farm products, grown or produced by him, to market or to other points for processing, and for the transportation of supplies by the owner of such commercial motor vehicle from place of purchase, to his own farm or ranch for his exclusive use; prescribing penalties for violation thereof, and declaring an emergency."

H. B. No. 174, "An Act to amend Subdivision 23, of Article 7047, Chapter 1, Title 122, of the Revised Civil Statutes, State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, Regular Session, page 355, Chapter 212, Section 1, relating to an occupation tax on coin-operated vending machines, marble table machines, and similar devices, within the scope of the subdivision; providing such funds to be placed to the credit of the State Available School Funds, and declaring an emergency."

H. B. No. 108, "An Act to provide that where a majority of the resident taxpayers being qualified electors of any city or town in this State having a population in excess of ten thousand (10,000) inhabitants, having voted at an election held in such city or town in favor of the expending of public funds in such city or town in carrying out the provisions of Chapter 10, General Laws of the Thirty-sixth Legislature, Regular Session; etc., and declaring an emergency."

H. B. No. 131, "An Act appropriating twenty-five thousand dollars to purchase anti-rabic serum for issuance to public health officers of cities and counties in this State, to be used to treat indigent persons only where an epidemic of rabies exists, and declaring an emergency."

H. B. No. 186, "An Act to create a special and more efficient road system for Collin County, in the State of Texas, and making county commissioners ex-officio road commissioners,

and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; etc., and declaring an emergency."

H. B. No. 23, "An Act for the continuation of the campaign for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making appropriation, and declaring an emergency."

H. B. No. 185, "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than twenty-two thousand five hundred (22,500) and not more than twenty-two thousand nine hundred and fifty (22,950), according to the last preceding Federal Census, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; etc., and declaring an emergency."

H. C. R. No. 33, Granting J. W. Mayes permission to sue the State.

H. C. R. No. 27, Granting J. D. Campbell permission to leave the State.

H. C. R. No. 61, To suspend Joint Rule XI.

H. C. R. No. 69, To suspend Joint Rule XI to consider Senate Bill No. 111.

H. C. R. No. 52, To suspend Joint Rule XXIII to consider House Bill No. 103.

H. C. R. No. 71, To suspend Joint Rule XI to consider House Bill No. 120.

H. C. R. No. 22, Granting W. A. Morgan permission to sue the State.

H. C. R. No. 40, Relative to enforcement of certain law.

H. C. R. No. 59, To suspend Joint Rule XI to consider House Bill No. 116.

H. C. R. No. 34, Granting B. P. Panas permission to sue the State.

H. C. R. No. 30, Granting J. F. Bentley permission to sue the State.

H. C. R. No. 57, To suspend certain Joint Rule to consider Senate Bill No. 39.

H. C. R. No. 60, To suspend Joint Rule XI to consider House Bill No. 176.

H. C. R. No. 64, To suspend certain Rule for the purpose of considering Senate Bill No. 35.

H. C. R. No. 67, To suspend certain Joint Rule to consider Senate Bill No. 54.

H. C. R. No. 36, Relative to matron of Goree State Farm.

H. C. R. No. 31, Granting Walter Strickland permission to sue the State.

H. C. R. No. 73-a, To suspend certain Joint Rule.

S. C. R. No. 25, Granting Buna Independent School District certain sum of money.

S. C. R. No. 21, Regarding certain appropriation made during Regular Session of the Legislature.

S. C. R. No. 26, Relative to payment of fees of certain county officials in examining trials.

S. C. R. No. 19, Granting Grand Lodge of Order of Sons of Hermann permission to sue the State.

H. C. R. No. 47, To suspend certain Joint Rule.

#### HOUSE NOTIFIED

A committee from the Senate appeared at the Bar of the House, and, being duly announced, stated that the Senate has completed its labors, and is now ready to adjourn sine die.

#### PROVIDING FOR COMMITTEES TO NOTIFY GOVERNOR AND SENATE

Mr. Aikin offered the following resolution:

Whereas, The House of Representatives of the First Called Session of the Forty-third Legislature has now completed its duties and is now ready to adjourn sine die; therefore, be it

Resolved by the House of Representatives, That the Speaker appoint two committees of five Members each,

one to notify the Governor, and the other to notify the Senate, that the House has completed its labors, and is now ready to adjourn sine die.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committees:

To notify the Governor: Messrs. Aikin, Jones, Laird, Young, and Roberts.

To notify the Senate: Messrs. Walker, Dean, Camp, Hoskins, and Rogers of Hunt.

(While the House was standing at ease, pending the enrolling of bills, Mr. Young occupied the Chair.)

(Speaker in the Chair.)

#### GOVERNOR NOTIFIED

The committee, appointed to notify the Governor that the House has completed its labors and is now ready to adjourn sine die, appeared at the Bar of the House, and, being duly announced, stated that they had performed the duty assigned them.

#### SENATE NOTIFIED

The committee, appointed to notify the Senate that the House has completed its labors and is now ready to adjourn sine die, appeared at the Bar of the House, and, being duly announced, stated that they had performed the duty assigned them.

#### ADJOURNMENT SINE DIE

Mr. Pavlica moved that the First Called Session of the Forty-third Legislature adjourn sine die.

The motion prevailed.

Rev. Geo. W. Coltrin, Chaplain, offered prayer.

Speaker Stevenson, then, at 12 o'clock midnight, pronounced the First Called Session of the Forty-third Legislature adjourned sine die.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The Committee on Counties filed a favorable report on Senate Bills Nos. 111 and 93.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, October 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 64, "An Act defining 'machine gun' and 'person'; making it an offense to possess or use machine guns; making it an offense to sell, lease, barter, give, exchange, trade, or cause to be sold, leased, given, bartered, exchanged, or traded a machine gun to any person; providing penalty for possessing machine gun; providing penalty for selling leasing, bartering, giving, exchanging, trading, or causing to be sold, leased, given, bartered, exchanged, or traded a machine gun to any person; providing exceptions where machine guns are sold to the military force or peace officers of the United States or any political subdivision thereof, and the transportation thereof; providing exceptions when the possession of machine guns for scientific purposes, or possession of machine guns not usable as a weapon and possessed as a curiosity, ornament, or keepsake, and possession of machine guns by officials or employees of the State Prison System; providing exceptions where machine guns are sold, leased, bartered, exchanged, or given the Adjutant General of the State of Texas, the sheriff of any county, the chief of police of a municipality, the purchasing agent for the Texas State Prison System, the military forces or peace officers of the United States, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 145, "An Act amending Article 1041, of the Revised Code of Criminal Procedure of Texas, by adding thereto Article 1041-a; providing for the compensation of jailers and/or turnkeys in all counties in the State having a population of one hundred thousand and one (100,001) inhabit-

ants, and not more than one hundred and fifty thousand (150,000) inhabitants, and containing two cities of fifty thousand (50,000) population or more each, according to the last preceding Federal Census; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 87, "An Act prohibiting the use of a seine or net for taking fish from any of the waters of Bastrop County, excepting a minnow seine for the purpose of taking bait; providing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 147, "An Act to amend Article 1970, Section 94-b, of the Revised Civil Statutes of 1925, as amended by Chapter 16, Section 6, of the Acts of the Forty-first Legislature, relating to the salary paid the official court reporter of the County Court at Law, of Harris County, Texas, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 102, "An Act providing for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than seven thousand six hundred and forty-five (7,645), and not more than seven thousand six hundred and ninety (7,690) population, according

to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 213, "An Act for the purpose of opening the waters of Lavaca Bay, in Calhoun County, Texas, for shrimp trawling during the months of September, October, November, and December of each year; opening Powder Horn Lake, in Calhoun County, Texas, for seining during the months of December, January, and February of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 20, "An Act amending House Bill No. 578, Chapter 153, of the Acts of the Forty-third Legislature, defining certain words, terms, and phrases for the purposes of this Act; providing that the provisions hereof shall not include warehousemen distributing any such cigarettes theretofore sold and shipped to them for distribution; providing and imposing a tax on sales of intrastate commerce in this State of cigarettes according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the Treasurer; providing a penalty for any person to sell stamps other than the Treasurer, with exception; authorizing and requiring the Treasurer to design and have printed or manufactured such stamps; requiring such stamps to be affixed on each individual package of cigarettes; providing that such stamps shall be supplied by the Treasurer to all licensed dealers at a discount when purchased

in certain quantities; providing that such stamps shall be sold by the Treasurer to any and all persons, firms, partnerships, corporations, and associations of persons; authorizing the Treasurer to sell said stamps on credit with certain restrictions; providing for the distribution of moneys collected hereunder; authorizing the Treasurer to redeem any unused stamps when design of stamp is changed; providing that the Treasurer shall keep a record of all stamps sold by him, limiting and providing penalty for the use of stamps of previous design; providing that every person, firm, corporation, or association of persons shall apply for and secure permit to engage in the business of wholesale or retail dealer in cigarettes; providing that the Comptroller shall issue such permit; providing for the application for such permits and regulating the issuance thereof; providing that certain persons, firms, corporations, or associations shall not be required to apply for and obtain such permit; providing for the distribution of the funds derived from the issuance and sale of such permits; providing for and regulating the suspension of permits issued; requiring every wholesale dealer to cause the stamps to be affixed to each individual package of cigarettes immediately after receipt of same; providing that wholesale dealers in interstate commerce under certain contingencies need not cause the stamp to be affixed to certain stock; requiring every wholesale dealer to keep certain records; requiring every wholesale dealer to furnish certain records to the Comptroller, and fixing penalty for failure to do so; requiring every retail dealer to affix the stamp to the individual package of cigarettes immediately which has not been stamped; providing that any unstamped cigarettes, except as to bonded interstate wholesale dealers, in the possession of any person are kept in violation of the provisions of this Act; requiring all retail dealers to keep a record of all purchases of cigarettes and stamps; requiring all retail dealers to furnish the Comptroller with certain records, fixing of penalty for failure to do so; stating the purpose and intents of this Act; making it the Comptroller's duty to collect, supervise, and enforce the collection of all taxes and penalties due hereunder; providing that certain power and authority is vested in said

Comptroller, authorizing the Comptroller to make rules and regulations for the purpose of carrying out the provisions of this Act; providing that it shall be a felony for any person, other than the Treasurer, to print, or engrave, or aid or cause the printing or engraving of any stamps evidencing the payment of the tax levied by this Act, or who shall use or consent to the use of any counterfeit or unauthorized stamps, or shall place or cause to be placed on any individual package of cigarettes any such unauthorized or counterfeit stamps; providing for the penalty for such violation; providing that the venue for certain offenses for violation of certain provisions of this Act shall be in Travis County, Texas; providing that it shall be unlawful for any person to sell, offer for sale, or possess for the purpose of sale any cigarettes without having first procured the permit as required herein, with certain exceptions, or to sell, offer for sale, or possess for the purpose of sale any cigarettes without the stamp or stamps herein provided for having first been affixed to the individual package of cigarettes, with certain exceptions, or to attach to any individual package of cigarettes any stamp that has been theretofore attached to a different package of cigarettes, or to refuse to allow the Comptroller to inspect any place of business where cigarettes are sold, or to use any artful device or deceptive practice to conceal any violation of this Act, or for any retail dealer to possess in any place of business any cigarettes which are not properly stamped, or for any retail dealer and/or wholesale dealer to fail to produce certain invoices, or for any person to furnish any false or untrue invoice of cigarettes, or for any wholesale or retail dealer to fail and refuse to keep the records required by this Act, or for any dealer to fail to display said permit or license, or for any person other than common carrier to transport any package or packages of cigarettes which do not bear the State revenue stamp, or for any person to violate any of the provisions of this Act, shall be guilty of a misdemeanor and punished by fine not less than ten dollars (\$10) nor more than five hundred dollars (\$500), or by confinement in jail not exceeding six (6) months, or by both such fine and imprisonment; providing that all agents, employes, and others who aid



or participate in the violation of this Act shall be guilty and punishable as principals; providing that the transportation of any unstamped cigarettes is prohibited; providing for the seizure of any vehicle transporting any unstamped cigarettes; providing for an action to be brought against the owner or operator of any vehicle transporting any unstamped cigarettes demanding the forfeiture and sale of such vehicle; providing for the notice of such cause; providing for the appointment of an attorney under certain contingencies; providing for the trial of said cause; providing for the forfeiture and sale after hearing of such seized vehicle; providing an opportunity for the owner or claimant of any seized property to have a hearing; providing for the disposition of all funds collected from the sale of any seized vehicle under the provisions of this Act; providing for certain fees for the attorney appointed by the court; requiring retail dealer to obtain invoice of cigarettes purchased by him; providing a penalty for receiving unstamped cigarettes in certain instances; providing for the seizure and forfeiture to the State of cigarettes on which taxes are imposed by the provisions of this Act, on which the taxes levied hereunder have not been paid; providing for the appraisal of same; providing for the procedure to enforce such forfeiture; providing for the service of notice of said procedure; providing in certain events for the appointment of attorney; providing for the forfeiture of said property; ordering the sale thereof; providing that any claimant or lienholder of any seized property may, in certain events, obtain possession of such seized property; authorizing the Comptroller to waive any proceeding for the forfeiture of any property seized under the provisions of this Act, in certain instances, and providing penalty; providing that all funds collected by the Comptroller under the provisions of this Act shall be paid over to the Treasurer; providing that two per cent (2%) of the gross amount derived under the provisions of this Act shall be set aside for the use of the Comptroller for the enforcement of the provisions hereof; requiring the Comptroller to itemize and designate funds collected under this Act as required by the State Constitution; repealing Sections 12, 13, 14, and 15 of House Bill No. 547, Chapter 73, Acts of the Regular Ses-

sion of the Forty-second Legislature; repealing Subdivision 39, of Section 1, of House Bill No. 251, Chapter 212, Acts of the Regular Session of the Forty-second Legislature; repealing House Bill No. 578, Chapter 153, Acts of the Regular Session of the Forty-third Legislature; providing that all taxes, penalties, and interest, due and existing, and hereafter due and/or delinquent under prior existing cigarette tax laws, are expressly preserved and declared to be legal and valid obligations due the State; providing that if any section, subsection, sentence, clause, or phrase in this Act shall be held or declared to be unconstitutional or invalid for any reason, such holding shall not impair or affect the remaining portions of this Act, and the same shall be and remain in full force and effect, and declaring an emergency,"

Has\*carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 55, "An Act amending Sections 2, 3, 5, and 9, of Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, providing for monthly payment of tax levied and prescribing the date upon which tax shall be paid, by whom it shall be paid; providing that if said tax is withheld by the purchaser and said purchaser fails to make payment of said tax to the State that the producer may have legal action against the purchaser by reason of such failure, and providing for attorney's fee; providing penalties for the failure to pay the tax imposed upon the production of oil and six per cent (6%) interest on delinquent penalties and interest; providing the proceeds of said tax shall be deposited, one-half to the credit of the Public School Fund and one-half to the credit of the General Fund of the State of Texas; authorizing the Comptroller to promulgate rules and regulations for the enforcement of this Act and the amount of expenses set out in said Act for the enforcement or administration to be deducted and appropriated from the gross amount collected, and providing

for employes therein, prescribing maximum salaries, providing for equipment and supplies and other expenses necessary to enforce this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 11, "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, the sum of one thousand five hundred dollars (\$1,500), not otherwise appropriated, to pay for an electric frigid unit for the Governor's Mansion; and for the preservation and beautification of the Mansion grounds, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 81, "An Act providing a privilege license for any person before engaging in the business of a commercial fisherman, wholesale fish dealer, retail fish dealer, bait dealer, fish guide; defining certain terms as used herein; or before operating a shrimp trawl, net, or seine, or oyster dredge for taking any aquatic life from the waters of this State for pay; naming the licenses and the fees to be paid for same; limiting the length of a seine which may be licensed and the size of the mesh of seine which may be licensed after September 1, A. D. 1934; providing aquatic products are subject to inspection by any employe of Game, Fish, and Oyster Commission; providing a rebate for holders of licenses and permits heretofore issued by the Game, Fish, and Oyster Commission; prescribing a penalty for violation of any provision of this Act; repealing all laws in conflict herewith and especially Articles 934, 936, 937, 938, 939, 940 of the Penal Code of

the State of Texas, and Articles 4031, 4032, 4033, 4034, and 4044, of the Revised Civil Statutes of the State of Texas of 1925; providing that all indebtedness due the State by reason of laws repealed shall remain valid; providing that no license shall be issued to any person delinquent in fees or taxes on aquatic products; providing all license fees are annual and effective dates of licenses; providing for the effective date of the Act; providing if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 132, "An Act making an additional allocation and appropriation of the revenues derived from the tax levied and collected on the gross sales of gas transmission lines by the provisions of Article 6060, Revised Civil Statutes of Texas of 1925, for the use of the Attorney General's Department in enforcing the provisions of Articles 6050 et seq., Revised Civil Statutes of Texas of 1925, relative to the regulation of gas utilities and the orders of the Railroad Commission promulgated in pursuance thereof; providing that in the event the revenues derived by such tax over and above the sum of fifty-one thousand three hundred dollars (\$51,300) appropriated by the provisions of Chapter 166, Acts of the Forty-third Legislature, to the Gas Utilities Division of the Railroad Commission are insufficient to total the sum of twenty thousand dollars (\$20,000) herein appropriated, that the balance necessary to total such sum of twenty thousand dollars (\$20,000) is appropriated from the General Revenue Fund; providing that none of the money herein appropriated shall be used to employ relatives of the Members of the Legislature; authorizing the Attorney General to appoint and the Railroad Commission to pay an Assistant Attorney General out of said funds and requiring such Assistant to devote

his entire time to utility matters and fixing his compensation; requiring the Attorney General to report expenditures of this appropriation to the State Auditor, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 150, "An Act amending Article 7283, of the Revised Civil Statutes of Texas, 1925, reducing the cost of redeeming land sold for taxes; specifying the time for redemption, and the money to be paid therefor; making the same apply to and govern redemptions from all State, county, municipal, and/or district tax sales of real estate heretofore or hereafter made, regardless of the legal method used in making such sales; ratifying Articles 7284 and 7285, of the Revised Civil Statutes of Texas, 1925; providing if any part of this Act shall be held unconstitutional, it shall not affect the validity of the remainder of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 85, "An Act authorizing any county, political subdivision or defined district thereof to hold an election for the purpose of determining whether it will repurchase any road bonds sold and outstanding at the time of the passage of this Act, out of unexpended and unpledged funds received from the original sale of said bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such road bonds; providing for the cancellation and destruction of such road bonds upon repurchase by reason of such election; providing that nothing in this Act shall be construed as invalidating any bond election held

or bonds previously issued in any county, political subdivision or defined district thereof for the purpose of constructing roads therein; providing that the expense of holding such election shall be paid out of the general fund of the county, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 57, "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Jasper and Newton Counties, during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 41, "An Act amending Article 2529, Chapter 1, Title 47, Revised Civil Statutes of Texas of 1925, as amended by Chapter 57, First Called Session, Fortieth Legislature, as further amended by Chapter 124, General Laws, Regular Session, Forty-first Legislature, and as further amended by Senate Bill No. 551, Chapter 240, General Laws, Regular Session, Forty-third Legislature, to authorize the State Depository Board to accept warrants drawn against the General Revenue Fund of the State as collateral to secure deposits made by the State in State Depositories; changing the condition on which said warrants may be eligible for such collateral by allowing same to be used where accompanied by affidavits sworn to by some officer of the bank offering said warrants;

affirming that none of the warrants offered as collateral security were transferred or assigned by the original payee of said warrants, or any of them, for a less consideration than ninety-eight per cent (98%) of the face value of said warrants, and that none of such warrants were obtained from the original payees by loaning money thereon at a rate of interest greater than eight per cent (8%) per annum (instead of six per cent (6%) per annum as provided in Senate Bill No. 551), and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 200, "An Act amending Articles 2525, 2528, and 2533, Chapter 1, Title 47, Revised Civil Statutes of Texas of 1925, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically a reasonable rate of interest to be paid by State Depositories and Reserve Depositories on State funds, in lieu of interest rates now specifically fixed by Statute to be paid by such State Depositories and Reserve Depositories; amending Articles 2537, and 2539, Chapter 1, Title 47, Revised Civil Statutes of Texas of 1925, to conform thereto; repealing Articles 2536, 2540, 2541, 2542, and 2543, Chapter 1, Title 47, Revised Civil Statutes of Texas of 1925, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 93, "An Act granting the Commissioners Court of Childress County, Texas, power to use all or any part of the interest collected on notes held by the said Childress County against Childress County

school land in Bailey and Cochran Counties, Texas, and to use all or any part of the revenue received from rentals or leases on said land for the payment of taxes on said property, and for the payment of such necessary expenses as may be involved in managing or improving such tracts of said land as may remain unsold and for the payment of reasonable attorney's fees in case of foreclosure by said County of Childress on said school lands, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 88, "An Act amending Article 2350, Chapter 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by House Bill No. 555, Chapter 216, page 727, Acts of the Forty-third Legislature, Regular Session, relating to the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional, it shall not affect any remaining part, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 56, "An Act to fix the salaries and compensation of county commissioners in certain counties as provided in Article 2350 of the Revised Civil Statutes of Texas, 1925, as amended by an Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section No. 1, and as

amended by an Act of the Fortieth Legislature, Chapter 490, Section No. 1, page 435, and as amended by an Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section No. 1, and as amended by an Act of the Forty-third Legislature, Regular Session, page 727, Chapter 216; providing that if any section or portion of this bill is declared invalid, it shall not affect any other part of said bill, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 112, "An Act amending Section 2, Chapter 18, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Chapter 27, Acts of the Regular Session of the Forty-second Legislature; providing for the operation in this State of motor vehicles owned by non-residents and registered under the laws of another State or country, relative to the registration of motor vehicles, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 116, "An Act validating all issues of funding and refunding notes, bonds, warrants, time warrants, and treasury warrants heretofore issued or authorized to be issued and attempted to be issued by any and all cities in the State operating under charters adopted or amended under the provisions of Article XI, Section 5, of the Constitution of Texas, having a population in excess of one hundred thousand (100,000), according to the last preceding United States Census, issued and attempted to be issued under authority of House Bill No. 312 of the Forty-second Legislature; and validating all orders of the govern-

ing bodies of such cities pertaining to such issues of such funding or refunding notes, bonds, warrants, time warrants and treasury warrants, and all orders by said governing bodies of said cities levying and assessing taxes to provide for the payment of interest and principal of such notes, bonds, warrants, time warrants and treasury warrants as they respectively mature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 120, "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and as further amended by Chapter 94, Section 1, of the Regular Session of the Forty-second Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 105, "An Act appropriating twenty-five thousand dollars (\$25,000) out of any funds of the State of Texas not otherwise appropriated, to be used to pay additional expense of publication of eight (8) proposed amendments to the Constitution of the State of Texas and for the subsequent holding of a general election at which said amendments are to be voted upon, said amount herein appropriated to be used as payment of any difference in the amount of the costs of the publication of said amendments and holding of said election over and above the amounts of money already appropriated for said purpose, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 79, "An Act amending  
Chapter 101 of the Special Laws of  
the Regular Session of the Forty-  
third Legislature prohibiting the tak-  
ing, killing, or possession of wild fox  
for the purpose of barter or sale, and  
prohibiting the use of steel traps for  
taking fur-bearing animals in certain  
counties, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 33, Granting J. W.  
Mayes permission to bring suit  
against the State of Texas and State  
Live Stock Sanitary Commission,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 84, "An Act empowering  
counties through their commissioners  
courts to borrow money or receive  
grants of money from the Federal  
Emergency Administrator of Public  
Works or other Federal agency, under  
the terms and provisions of the Act  
of the Congress of the United States,  
commonly known as the National In-  
dustrial Recovery Act; providing  
nothing in this Act shall be construed  
as repealing House Bill No. 312,  
passed at the Regular Session, Forty-  
second Legislature, and all actions of  
commissioners courts in carrying out  
provisions hereof shall be subject to  
provisions of Chapter 163, Acts of the  
Forty-second Legislature; providing  
that said money may be borrowed only  
for purposes for which counties may  
create a valid indebtedness and levy  
a tax to pay for said indebtedness;

providing means for the securing by  
said counties of the repayment of  
such money borrowed; providing that  
when any such money for which the  
security herein provided is given  
shall be received by any county, that  
such county or counties may not  
thereafter contest the validity of any  
such security except for fraud or  
forgery; providing it shall be the  
duty of the Attorney General to pass  
upon any such security to be given  
to such Federal Emergency Admin-  
istrator of Public Works or other  
Federal agency by any such county;  
providing that this Act shall expire  
and be of no effect two (2) years  
after the effective date hereof, except  
that any contract or agreements en-  
tered into by authority of said Act  
shall continue, and be in force until  
the expiration of the date provided in  
such contract or agreement; providing  
the provisions of this Act are cumula-  
tive of existing laws; providing the  
provisions hereof shall apply where  
there is conflict with other laws, and  
declaring an emergency,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 40, "An Act releasing  
penalties and interest on ad valorem  
and poll taxes that were delinquent  
on or before July 1, 1933, due the  
State and certain subdivisions of the  
State, provided same are voluntarily  
paid on or before December 31, 1933,  
together with two per cent (2%)  
penalty; or on or before March 31,  
1934, together with four per cent  
(4%) penalty; or on or before June  
30, 1934, together with six per cent  
(6%) penalty; providing that Section  
1 hereof shall not apply to delinquent  
taxes due to cities, towns, villages,  
special school districts, or independent  
school districts unless and until  
the governing body of such subdivision  
shall adopt the provisions hereof by  
resolution or ordinance; providing that  
nothing in Section 1 of this Act shall  
be construed as postponing, delaying  
or extending the time for the payment  
of delinquent taxes covered by this  
Act, nor prohibiting, postponing, or

delaying the filing or prosecution of tax suits; defining the term "voluntarily paid" as same is used herein; and further providing that in the event certain municipal and self-governing subdivisions have heretofore adopted the provisions of Section 2, Chapter 169, of the Acts of the Regular Session of the Forty-third Legislature, and any person, firm, association of persons, or corporation, who shall not have been able to pay all delinquent ad valorem and poll taxes owed by such person, firm, association of persons, or corporation, and who on or before September 30, 1933, appeared before the public officer charged with the duty of collecting said taxes and made sworn affidavit of such inability to pay all of said taxes, and on or before September 30, 1933, paid twenty per cent (20%) of such delinquent taxes, and who has in all other respects complied with the provisions of said Section 2, of said Chapter 169 of the Acts of the Regular Session of the Forty-third Legislature, shall have all interest and penalty on said delinquent taxes remitted and released, and may make payment of the balance of said taxes in four (4) equal installments, bearing interest as provided in said bill, which installment shall be paid at the times and in the manner provided for in this Act, and providing the failure to pay any of said installments as provided for in this Act shall cause such taxes to become immediately due and payable, together with interest; and providing that Section 3 of this Act shall not apply to any delinquent taxes due the State or any county of this State; providing for the releasing of costs that would otherwise hereafter accrue on said delinquent taxes where same are voluntarily paid in the manner prescribed by this Act; providing that any taxpayer may pay all delinquent taxes for any one year or any number of years under the provisions of Section 1 hereof without at the same time paying any other taxes that may be then delinquent on the same property for any other year or years; repealing Chapter 169, Acts Regular Session of Forty-third Legislature, and suspending all other laws or parts of laws in conflict with the provisions of this Act during the term of this Act, in so far as same are in conflict with the provisions hereof; providing that if any clause, section, sentence, paragraph, or part of this

Act shall be adjudged or held to be invalid for any reason, such judgment shall not impair or invalidate the remainder of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 146, "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than twenty-two thousand two hundred and ninety-six (22,296) inhabitants nor more than twenty-two thousand five hundred and eighty (22,580) inhabitants, according to the last Federal Census, and to fix the salaries and compensation of county commissioners in counties with a population of not less than nine thousand nine hundred and sixty-two (9,962) inhabitants nor more than ten thousand (10,000) inhabitants, according to the last Federal Census, as to population; and providing for the manner and the fund from which said salaries shall be paid; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,

Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 17, "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, 1933, page 734, by adding thereto Section 5-a; Article 3886-a, relating to all counties of this State having a population of one hundred and twenty-five thousand and one (125,001) inhabitants and not more than one hundred and fifty thousand (150,000) inhabitants, according to the last preceding Federal Census, and being in a judicial district composed of two or more counties, and providing for the appointment and compensation of assistant district attorneys, stenogra-



phers and investigators in the district attorney's office and for expense of such office in such counties; providing for the appointment, duties, qualifications, and compensation of assistant county attorneys in such counties; repealing all laws and parts of laws in conflict herewith; providing that this Act shall become effective on and after January 1, 1934, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 31, Relative to compensation for damages resulting from personal injuries caused by the negligence of the Highway Department of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 90, "An Act to amend Subdivision 9, Article 2133, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 375, Chapter 221, Section 2, so as to provide that in cities and towns having a population of one thousand (1,000) or more inhabitants, according to the last preceding United States Census, the active members of organized fire companies, not to exceed twenty (20) to each one thousand (1,000) of such inhabitants, shall be exempt from jury service, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 196, "An Act granting authority to the State Highway De-

partment to acquire by purchase and/or to construct, maintain, operate and control ferries over and across any bay, arm, channel, or salt water lake emptying into the Gulf of Mexico, or any inlet of the Gulf of Mexico, any river or other navigable waters of this State where such ferries connect designated State highways, and which may be made self-liquidating or partially self-liquidating; providing for interstate ferries to be acquired by purchase, and to be maintained, operated, and controlled by the State of Texas, by the charging of tolls for the use thereof, and the right to charge reasonable tolls is hereby specifically granted to the State Highway Department under this Act; providing if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 195, "An Act making an appropriation to pay for fuel, lights, and water for the Court of Civil Appeals, First Supreme Judicial District at Galveston, Texas, and the Court of Civil Appeals, Sixth Supreme Judicial District, at Texarkana, Texas, for the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 199, "An Act amending Article 6008 of the Revised Civil Statutes of Texas, 1925, as amended by Section 2, Chapter 26, Acts of the Forty-second Legislature, First Called Session, and Section 1, Chapter 100, Acts of the Forty-third Legislature, Regular Session, prohibiting the waste of gas by escape and requiring the confinement thereof under terms



and conditions of said Article; providing that gas from wells produced from a common reservoir consisting of more than three hundred thousand (300,000) acres where the owner has no reasonable market available, may be utilized for purposes other than light and fuel to the extent of twenty-five per cent (25%) of the open flow and that such utilization shall not constitute waste; authorizing the use of gas for the purpose of being introduced into an oil or gas-bearing stratum for repressuring and for any purpose found by the Commission to be conducive to the public welfare; fixing a penalty for violation thereof, and providing means for recovering such penalty; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 141, "An Act making it lawful to kill squirrels in Coleman and Palo Pinto Counties at any time; repealing all laws in conflict therewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 46, "An Act providing for the creation of Discharged Convicts Revolving Fund, amending Article 6166-M, as passed by the Fortieth Legislature, 1927, Chapter 212, Section 14, providing for the payment of money into said fund by the State Treasurer out of moneys remitted to him by the General Manager of the State Prison System; providing for reports of the condition of the Discharged Convicts Revolving Fund by the depositories, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 203, "An Act amending Acts 1931, Forty-second Legislature, First Called Session, page 5, Chapter 3, relating to fishing in Gillespie and other counties so as to change the tackle that may be lawfully used; the period for the open season; the legal length of certain fish; the number of fish which may be caught in Kendall County; prescribing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 123, "An Act creating a closed season upon wild turkey for a period of five (5) years in the Counties of Liberty and Hardin in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill or attempt to kill by any means whatsoever, any wild turkey within said counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 94, "An Act defining 'daily newspapers' or 'newspaper,' 'consecutive days' or 'successive days' and words of similar meaning, within the meaning of any law, city charter or ordinance, or any Act of the Legislature creating any independent school district or any other municipal corporation, requiring notice to be given of any act or proceeding, whether public or private, or relating to judicial, executive or legislative matters, by publication in a daily newspaper or by publication in a

newspaper for a certain number of consecutive or successive days, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 184, "An Act amending Chapter 12, of the General and Special Laws of the Third Called Session of the Forty-second Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 67, "An Act amending Section or Subdivision 12, of Article 199, of the Revised Civil Statutes of Texas, of 1925, as amended in 1931; changing the times of holding the terms of the district courts in the Twelfth Judicial District of Texas; changing the length of terms of the district courts of certain of the counties in said judicial districts; enacting necessary provisions with reference to processes, writs, bonds, recognizance and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same; providing that this Act shall take effect January 1, 1934, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 35, "An Act to make provision for: 1—(Section 1). The adoption of a home rule charter by counties in Texas, upon a vote of

the qualified resident electors of such counties, all as provided in Section 3, Article IX, of the Constitution of the State of Texas; reference to such provision of the Constitution here is made to the same effect as though it were embodied herein. Further providing (Section 19 hereof) that no county charter provision impairing the operation of the general laws of the State relating to the judicial, tax, fiscal, educational, police, highway, and health systems of the State, or any department of the State's superior government may have effect as against the State. 2—(Section 2). Making provision for calling conventions in each voting precinct in a county, for the selection of resident delegates to a county convention to be held for the selection of a charter drafting commission, to be composed of persons considered capable of drafting, or to give aid in drafting a charter deemed to conform to the will and needs of the qualified resident electors of the county, and to be subject to adoption or rejection by vote of the people of the county, under the express conditions of the amendment and the procedural safeguards of this Act. 3—(Section 3). Fixing the qualifications of the signers of a petition for calling a county charter convention, the qualifications of persons who may participate in charter conventions, and the qualifications of voters in a charter election. Also fixing the manner of publishing notice and of giving of written notice of various acts required hereby to be done, and prescribing the time for such notices. Also permitting the charter drafting commission to prescribe reasonable notice to its members concerning its meetings and acts. 4—(Section 4). Fixing the form of a petition for submission of a county charter proposal, and prescribing the number and qualifications of signers thereof; providing for the filing thereof with the clerk of the commissioners court of the county, and defining his duties relating thereto. 5—(Section 5). Fixing the time for action by the court upon such petition, and requiring the court to enter its order on such petition, calling a convention in each voting precinct of the county, prescribing the time for holding such precinct conventions, and defining their duties. Also providing for the designation of the day, hour, and place for hold-

ing each precinct convention. Also providing that the court's order shall fix the day, hour, and place for holding the county charter convention; prescribing the limits of time within which precinct and county conventions must be held. 6—(Section 6). Prescribing the substantive form of the notice of the court's order calling the conventions (including the form of the credentials of delegates, and alternate delegates, from precinct conventions to county conventions, and direction for the use of same), and requiring publication of such notice. 7—(Section 7). Specifying that precinct conventions shall be held and proceed with their business, all as fixed in the notice to be published by the commissioners court. 8—(Sections 8, 9, and 10). Prescribing the manner of organizing the county convention for business; its procedure after organization; its duty to fix the number of persons to serve as a charter drafting commission, and to select persons qualified to serve thereon. Providing for fifty-one (51) or more per centum of the total authorized members of the convention to constitute a quorum. Requiring that a journal of all proceedings be kept, showing all yea and nay ballots on each substantive question. Providing for recesses of the convention and notice of reassembling, for forbidding adjournment until its duties have been performed. Providing various procedural safeguards and requiring that service in the convention be without compensation. 9—(Section 11). (a) Prescribing the time for meeting and organization of the charter drafting commission; fixing its quorum for business, and providing for filling vacancies thereon by the commissioners court. Authorizing the commission to adopt reasonable rules to control notice of its meetings and its procedures. (b) Providing that service on the commission be without compensation, but authorizing the commission to incur certain specified necessary expenses and limiting the same; prescribing how such expense may be proved, certified, and paid by the county. (c) Providing the time within which the commission must conclude its labors, and requiring that the record of its proceedings and all pending written proposals be open to inspection by the public. (d) Providing for alternate and elective charter provisions to be writ-

ten and submitted for choice by vote of the electors. Providing the commission's certificate of recommendation of adoption of the proposed charter drafted by it. (e) Providing that if the charter commission originally chosen fails to produce and certify a proposed charter within one hundred and eighty (180) days next after its appointment, it automatically shall be discharged, and a new charter commission chosen by the reassembled county convention, after procedures and notice for reassembly, as by this Act provided. Providing for organization, procedure, and the performance of duty of the substitute commission, as provided for a defaulting commission. (f) Providing that the commission, upon certification of preliminary recommendation of adoption of a charter, by its order, shall fix not less than five (5) times and places in the county for public hearings on the charter as then proposed, and shall cause notice thereof, together with a complete certified copy of the proposed charter, to be published as prescribed in Section 3 of this Act. Fixing the time for such publications, the limit in time for such hearings, and providing the procedure for such hearings. Requiring that all qualified resident electors be heard at such hearings. Providing that, within ten (10) days after such hearings, the commission shall make such revision of the proposed charter as by them may be deemed for the betterment thereof. 10—(Section 12). Fixing the time within which the commission shall prepare its report of a final recommendation for the adoption of the charter drafted by it. Requiring this report and request for the holding of a charter election to be filed with the commissioners court of the county. Requiring the report to be accompanied by two (2) true copies of the proposed charter, and prescribing the form for such report and request. 11—(Section 13). (a) Prescribing the duties of the clerk of the court and the duties of the court with reference to such report. (b) Requiring the court, by order, to call a county charter election, and fixing the time therefor. (c) Providing that the election be conducted after such notice and as is or may be provided by the laws of Texas regulating general elections, save as to those matters specifically provided in this Act, as being peculiarly appro-

priate to the subject matter of the Act. Providing for the printing of copies of the proposed charter and distribution of copies thereof in each voting precinct of the county; requiring that the charter, with alternate provisions, if any, be published in full in the published notice of election; providing for ballots and the propositions or proposals to be printed thereon, and prescribing the manner in which the choice of the electors shall be determined. Providing that no proposal to consolidate or merge governmental functions of separate governmental agencies or bodies politic may be voted on at an election held for the original adoption of a charter; providing that a charter once adopted may make provision whereby such consolidations may be submitted to the voters of the county, as authorized by said amendment to the Constitution. 12—(Section 14). Providing for canvass of the returns and declaration of the result to be performed by the commissioners court and the charter drafting commission sitting jointly as a board therefor, and providing for contest of such elections as provided for contest of general elections, but requiring as a condition precedent to a judicial review that certain procedures be taken as specified in Subdivisions (a), (b), (c), and (d), of Section 14, of this Act. Also providing that the findings of the joint board of review, composed of the commissioners court and the charter commission, be received in evidence in the court of jurisdiction of the contest, and that such findings shall constitute prima facie proof of the facts stated therein. 13—(Section 15). Providing (in conformity to the provisions of said amendment to the Constitution) that a proposed charter shall be adopted only upon a favoring constitutional majority of the votes cast in the election. Providing that if a proposal to adopt a charter is defeated, no other such proposal may be initiated at a time less than twelve (12) months. Providing that charters hereunder may contain provisions regulating the adoption of amendments thereto, but may not forbid amendments for a period to exceed two (2) years; also, providing that in the absence of such charter provision, a charter adopted hereunder may be amended at any time. 14—

(Section 15-a). Providing in such elections, the vote cast by qualified electors residing within incorporated cities and towns shall be separately kept and collectively counted, and the votes of electors of the county who do not reside within the limits of any incorporated city or town shall be separately kept and counted, and unless a favoring majority vote is cast within and without such cities and towns, the charter shall not be adopted. 15—(Section 16). Providing that all charters adopted hereunder shall contain provision for procedure for the abandonment thereof and return of the county to operate under the general laws of the State, but requiring such proposals must be determined by a majority vote of the electors of the county. 16—(Section 17). Providing the means whereby proponents of the adoption or amendment of a charter may advance money to pay the cost of procedures hereunder in case money therefor be not available to the county, and providing means whereby they may be repaid such advances as and when money therefor may be available to the county. 17—(Section 20). Provided, that if any provision of this Act is declared invalid or unconstitutional, it shall not affect any other provision of this Act. 18—(Section 21). Validating any procedure, taken under the anticipatory enabling Act, passed at the Regular Session of the Forty-third Legislature, relating to the formulation, etc., of petitions, including all orders and notices of the commissioners court relative to such petition, conventions held, or other acts done. 19—(Section 22). And declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 178, "An Act providing for the levying of a special school tax not to exceed a certain rate for the purpose of paying interest and sinking fund on a loan or loans from the Federal Government; authorizing the

boards of trustees of any common school district of this State containing not less than one hundred (100) and not more than one hundred seventy-five (175) scholastics, according to the last approved census roll on file in the office of said county; and being located in counties containing a population of not less than thirteen thousand nine hundred twenty (13,920) and not more than thirteen thousand nine hundred and seventy-five (13,975) inhabitants, according to the last preceding Federal Census, together with the consent and approval of the county school superintendent and the county board of education to pledge tax receipts to pay same; providing for contract with Federal Government for erection of buildings for school purposes; authorizing boards of trustees to execute quitclaim deeds therefor; providing for creation of lease contracts upon certain terms whereby the rent money becomes a part of the purchase price of school buildings and school property; providing for the final ownership of property by school boards; providing for a term for pledge and/or lease; authorizing boards of trustees with the consent of the county school superintendent and county board of education to pledge tax receipts in payment of said lease contract; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 83, "An Act creating a closed season upon wild deer, buck, doe, fawn, wild turkey, or pheasant for a period of five (5) years in the County of Erath, State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill or attempt to kill by any means whatsoever, any wild deer, buck, doe, fawn, wild turkey, or pheasant for a period of five (5) years; providing a penalty therefor, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 26, "An Act providing for the transfer of certain lands to the State of Texas and to the State Parks Board for park purposes; providing that all lands south of parallel of latitude 29°, 25' north, lying and being situated in Brewster and Presidio Counties, heretofore or hereafter purchased by the State for delinquent taxes and which are not redeemed within the time prescribed by law, shall become the property of the State of Texas for park purposes, and shall be under the control of the Texas State Parks Board; providing for execution of deeds to the State of Texas for park purposes and for filing of certified copies in the General Land Office and the keeping of certain records by the Commissioner of the General Land Office; providing for the exchange or sale of said lands, and execution of necessary instruments of conveyance or transfer; providing that all funds derived from sale of said lands shall be deposited in the State Treasury for the use of the State Parks Board; providing the mineral estate in and under said lands shall be reserved to the State of Texas for the benefit of the Permanent Public Free School Fund and no acquisition by said Parks Board shall impair any obligation or lien held to be due the Permanent School Fund; changing the name of the Texas Canyons State Park to Big Bend State Park; providing for the lands to constitute said park; withdrawing certain additional State school lands in Brewster County, Texas, from sale; transferring and conveying said public school lands to the State of Texas for park purposes, reserving all minerals to the Public School Fund; valuing said lands, and making an appropriation out of the General Revenue for payment of the Permanent School Fund of Texas for consideration of said transfer; providing said Big Bend State Park shall be under the supervision and control of said Texas State Parks Board; authorizing said Texas State Parks Board to contract to exchange said lands for other lands for park purposes, such contracts to become effective when approved by a board consisting of the Governor, At-

torney General, and Commissioner of the General Land Office; providing that this Act shall be cumulative of all other laws; providing that if any part of this Act shall be held to be unconstitutional such holding shall not affect the remainder of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 129, "An Act to amend Article 8344, of the Revised Civil Statutes of Texas, 1925, governing the selection of depositories by all navigation districts whether created pursuant to Section 52, Article III of the Constitution, or Section 59, Article XVI of the Constitution; defining the powers of navigation and canal commissioners in the selection of such depositories; defining the powers and obligations of such depositories; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 176, "An Act making an appropriation to pay deficiencies and bills for the Adjutant General's Department out of the General Fund; authorizing payments of such claims on the taking effect of this Act,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 212, "An Act amending Chapter 33, of the General Laws of the Regular Session of the Thirty-

ninth Legislature, so there is added to said chapter, provisions that in cities having a population of more than two hundred ninety thousand (290,000) inhabitants according to the last preceding Federal Census, that the governing body of said cities shall have the power to make loans to be secured by, and paid out of the income of the water works system of said cities and/or extensions, replacements, betterments, additions, and/or improvements thereof necessary to render adequate service; and to pledge and use the income of such system for the payment of said debts, and providing further that in said cities, elections provided in Section 6, of said chapter, shall not be necessary for the issuance of bonds and notes to secure said loans made payable solely by the income of said system, and providing for the required submission of said bonds and notes to the Attorney General for his examination, and that said bonds shall be examined and certified as legal obligations to said cities by the Attorney General of Texas, and requiring them to be registered by the Comptroller in a book kept for such purpose; and providing further, that nothing in this Act shall repeal or affect any other legislation pertaining to this same subject, but shall be cumulative to all Acts granting power to all cities and towns including home rule cities, and it is not intended to limit or impair any power given by any other of such Acts, nor shall any other Act be deemed to limit or impair power granted under this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 194, "An Act authorizing certain independent school districts to receive donations of cash and donations of land upon which to build, erect and construct buildings in which its junior colleges may be maintained and operated and wherein an additional two years' college work may be taught so as to constitute a

university; authorizing the board of education or board of trustees of such school districts to borrow money from the Federal Emergency Administration of Public Works under the provisions of the National Industrial Recovery Act, or from any other source, for the purpose of building, erecting and constructing on such lands buildings for such purposes and the purchasing of necessary equipment and appliances, and the installation thereof in such buildings, and to mortgage and encumber such lands, buildings, equipment and appliances and the income rents, tolls, fees and other charges to be derived from the operation thereof and to evidence the obligation therefor by the issuance of bonds, notes or warrants and providing that no such obligations, maintenance, operation or expenses of any like character whatever shall ever be a debt of such school district but solely a charge on the property, income, fees, tolls, rents and charges so incumbered and pledged, and declaring such projects so financed to be self-liquidating in character; authorizing the board of education or board of trustees of such school districts to charge such fees and tuition for attendance as may be necessary to make the project self-liquidating, and providing the purposes for which the income derived from the operation of any such schools may be used and that if bonds are issued by virtue of the terms of this Act the same may, but shall not be required to, be presented to the Attorney General for his approval and registered by the State Comptroller as in the case of other school bonds, and providing that this Act shall be cumulative to Chapter 290, Acts of 1929, Forty-first Legislature, authorizing the establishment of junior colleges, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 174, "An Act levying an annual occupation tax upon all machines and other devices of what-

soever kind and description operated by coins, metal slugs, or tokens similar to coins, for the purpose of amusement, entertainment, or vending commodities, merchandise, or confections, or for services of any kind, exempting pay telephones, gas meters, pay toilets, and sanitary drinking cup vending machines from the provisions of this Act; providing a penalty for the violation of the provisions of this Act; and providing that all laws and parts of laws in conflict herewith are hereby repealed, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 108, "An Act to provide that where a majority of the resident taxpayers being qualified electors of any city or town in this State having a population in excess of ten thousand (10,000) inhabitants, having voted at an election held in such city or town in favor of the expending of public funds in such city or town in carrying out the provisions of Chapter 10, General Laws of the Thirty-sixth Legislature, Regular Session, such election and all acts and proceedings had and done in connection therewith by the governing body of such city or town are hereby legalized, approved and validated; and further providing that no further election shall be necessary for the expenditure of public funds to carry out the provisions of House Bills Nos. 30 and 31 of the First Called Session of the Forty-third Legislature, but any election held under the provisions of Chapter 10, General Laws of the Thirty-sixth Legislature, Regular Session, shall be, and is hereby, deemed to be sufficient to carry out the provisions of House Bills Nos. 30 and 31 of the First Called Session of the Forty-third Legislature; and providing that all pensions heretofore paid are expressly validated and legalized and all persons to whom such pensions have been paid shall be deemed proper pensioners under the terms of House Bills Nos. 30 and 31, of the First Called Session of the Forty-third Legisla-



ture; providing all pensioners added to the pension rolls shall be deemed proper and legal pensioners on the rolls of all cities wherein a pension system has been established under the terms of House Bills Nos. 30 and 31, of the First Called Session of the Forty-third Legislature; and providing that all cities within the population brackets of House Bills Nos. 30 and 31, Acts of the First Called Session of the Forty-third Legislature, shall be deemed to have a pension system without the necessity of any election or any action on the part of the city council and providing that such city council or governing board shall provide adequate funds for the payment of pensions under the terms of House Bills Nos. 30 and 31, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 131, "An Act appropriating twenty-five thousand dollars (\$25,000) to provide for the construction of a building and for laboratory equipment for the manufacture of anti-rabies serum and to purchase anti-rabic serum for issuance to public health officers of cities and counties in this State, to be used to treat indigent persons only where an epidemic of rabies exists, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 53, "An Act to amend Section 6, Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, by adding thereto Section 6-a, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof, in the transportation of his poul-

try, dairy, livestock, and farm products, grown or produced by him, to market or to other points for processing, and for the transportation of supplies by the owner of such commercial motor vehicle from place of purchase to his own farm or ranch for his exclusive use; provided, however, that all commercial motor vehicles, truck-tractors, road tractors, trailers and semi-trailers, as defined in Section 1, Chapter 23, of the General Laws of the Fifth Called Session, Forty-first Legislature, not coming within the provisions of this Act, shall be required to pay all registration and license fees prescribed by the other provisions of Chapter 88, General Laws, Forty-first Legislature, Second Called Session; prescribing penalties for violation thereof, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 186, "An Act creating a special and more efficient road system for Collin County in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemnation of lands and other property by said county for the purpose of laying out and establishing roads and for straightening, widening, or draining any established road, and for the condemnation of any timber, earth, or other material for the construction and maintenance of public roads, and to provide for compensation of the material used, and providing for the working of county convicts on the public roads and county farm and the purchase of supplies for such convicts, and the reward for the capture of escaped convicts, and for the commutation of sentences for faithful service and good behavior, and providing the powers and duties and liabilities of road overseers, and providing for the summoning of road hands and teams for road work and for the allowance of time for service of hands and teams on public roads,



and fixing the penalty for violation of same, and relieving them from the performance of such work by the payment of three dollars (\$3), and providing that delinquent poll tax payers shall be liable for extra road duty of three days; providing for the manner of summoning and working of all persons liable for road duty on public roads who have not paid such road tax or such poll tax; permitting substitution and payment of money in lieu of such service; providing for the manner of training and maintaining hedges along the public roads, and the punishment for the failure to comply with, and for the allowance of extra time for road overseers; providing punishment for all who obstruct any drainway or any public road; and providing further, making this Act cumulative of the General Laws now in force, and repealing Chapter 63 of the Acts of the Thirty-seventh Legislature, and repealing Chapter 79, Acts of the Fortieth Legislature, First Called Session, being a special road law for Collin County; providing if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder of the Act; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 31, "An Act to provide for creating a Firemen, Policemen, and Fire Alarm Operators' Pension Fund in all incorporated cities and towns in this State, having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred eighty-five thousand (185,000) inhabitants, according to the last preceding Federal Census, having a paid fire, police, and fire alarm operators' department; creating a board of trustees for the same; defining the duties and powers of the trustees thereof; describing the persons entitled to receive pensions; providing for a deduction from the salaries of all firemen, policemen and fire alarm

operators who desire to participate in said funds when entitled thereto under the terms of this Act for the purpose of creating said fund, and for other sources of revenue therefor; defining the duties of the treasurer of any such city or town in respect to said fund; providing the method of disbursement of said funds, and providing that such pension fund shall be exempt from judgment and garnishment, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 205, "An Act amending subdivision 66, of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, so as to change the time and terms of holding the terms of district court in Hill County, constituting the Sixty-sixth Judicial District of Texas, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. N. No. 185, "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than twenty-two thousand five hundred (22,500) and not more than twenty-two thousand, nine hundred and fifty (22,950) inhabitants, according to the last preceding Federal Census, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; and which are insufficient and void, or unenforceable on account

of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; and all equalizations of said valuations of such property for taxation purposes made by the board of equalization acting for any such school districts, which are irregular or insufficient because the reports of such equalizations were adopted and accepted orally, or by other informal action; and the acts of making such equalization were made orally or informally, or in incomplete form; providing this Act shall not affect such suits pending at the time same becomes effective; and providing further that this Act shall not validate any valuation placed upon property by any board of equalization or any tax assessor where such property has been valued in excess of its reasonable cash market value, or where such property has been discriminated against as to value or placed upon the rolls at a higher value than property of like kind and character, or at a greater percentage of its value than other property assessed for taxation, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 27, Granting permission to certain district judges to leave the State,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 23, "An Act for the continuation of the campaign for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making appropriation, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 22, Granting W. A. Morgan permission to bring suit against the State of Texas and the State Highway Commission,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 30, Granting J. F. Bentley permission to maintain a suit against the State Highway Commission of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 34, Granting B. P. Panas permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 40, Directing the Commissioner of Labor Statistics of the State to refrain from enforcing the provisions of House Bill No. 832 against any person, firm, or association of persons conducting any exhibition of wrestling or boxing not for profit,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 57, Suspending Rule  
XI, of the Joint Rules, so as to  
allow the House to take up Senate  
Bill No. 39,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 59, Suspending Rule  
XI, of the Joint Rules of both Houses,  
in order to take up House Bill No.  
116,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 60, Suspending Rule  
XI, of the Joint Rules of both Houses,  
to permit the Senate to consider and  
finally pass House Bill No. 176,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 36, Providing for the  
issuance of warrants for the matron  
of the Goree Farm,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No 7, Proposing investiga-  
tion of violation of Anti-Nepotism  
Laws in State Departments,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 71, Suspending Rule  
XI, of the Joint Rules of both Houses,  
for the purpose of taking up and con-  
sidering Senate Bill No. 71,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 73, Suspending Rule  
XI, of the Joint Rules of both Houses,  
for the purpose of taking up and con-  
sidering Senate Bill No. 71,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 67, Suspending Rule  
XI, of the Joint Rules of both Houses,  
to allow the House to take up and  
consider Senate Bill No. 54,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 52, Providing for the  
suspension of Joint Rule XXIII, so as  
to take up House Bill No. 193,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 64, Suspending Rule  
XI, of the Joint Rules of the House  
and Senate, until final disposition of  
Senate Bill No. 35,

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 29, Granting Martin  
Brothers permission to sue the State  
Highway Department,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 61, Providing for the  
suspension of Rule XI, for the final  
disposition of Senate Bill No. 65,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 15, Granting J. F.  
Hollis permission to bring suit against  
the State of Texas and/or the State  
Highway Department,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, October 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 69, Providing for the  
suspension of Rule XI, so as to con-  
sider Senate Bill No. 111,

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

## In Memory of Hon. B. Frank Haag

Mr. Stubbeman offered the following resolution:

Whereas, The convening of the First Called Session of the Forty-third Legislature revives the memory of Hon. B. Frank Haag, of Midland, Texas, Member of the House of Representatives of the Forty-third Legislature from the Eighty-eighth District, and brings the State of Texas, and particularly his associates in this representative Body, to the full measure of consciousness in the realization of the great loss sustained by this Commonwealth in his passing; and

Whereas, The Membership of the Legislature of the State of Texas now vividly recalls the sterling qualities of character, the distinct traits of statesmanship, and the worthy qualities of citizenship that characterized the life and activity of this beloved son of Texas; and

Whereas, His absence in the legislative hall impresses each Member of the Legislature with the vast emptiness and immeasurable void caused by the departure of this eminent statesman; and

Whereas, His associates in this organization realize the even greater loss sustained by the family of this devoted citizen when on July 13, 1933, he was called by the Master of Men's Destinies into the Realm of Eternity from which mortal men do not, in mortal form, return; now, therefore, be it

Resolved by the House of Representatives, That the Forty-third Legislature of the State of Texas officially expresses its deep bereavement and great sorrow at the departure of our friend and fellow worker; and, be it further

Resolved, That we extend to his family that measure of consolation of which humanity is capable, assuring them that the mark of their husband and father shall remain as one of the perpetual pictures of endearment upon the records of this State; and, be it further

Resolved, That when the House of Representatives shall stand adjourned on this day, that it shall be in memory of, and as a tribute to, Hon. B. Frank Haag, and that copies of this resolution be sent, by the Chief Clerk of the House, to the surviving members of his family; and, be it finally

Resolved, That those of us who are left behind, and into whose hands has been delivered the torch of time, shall dedicate ourselves, our lives, and our activities to the realization of that greater Texas, which was the dream of our more distinguished brother, who has passed from this earthly twilight into the shade.

STUBBEMAN,  
METCALFE,  
McGREGOR,  
SCOTT,  
THOMAS,  
ALEXANDER.

The resolution was read second time.

On motion of Mrs. Hughes, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holckamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McKee, Merritt, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Sullivant, Tarwater, Tennyson, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was then adopted by a rising vote.

## In Memory of Hon. W. D. Adair

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Mr. Burns offered the following resolution:

Whereas, The brilliant horizon of a cloudless day was yesterday darkened by the mysterious shadow of death, which took from our midst a distinguished citizen, a Christian gentleman, and a worthy public servant of the State of Texas; and

Whereas, When we turn our eyes towards his descending vision in the West, we are baptized in a veil of human tears, inspired by the supreme tragedy which so recently stalked unguarded in our midst, and snatched from our associates an immortal soul, the memory of whom remains as one of the beautiful moments in the colorful span of time; and

Whereas, When we again behold the rising sun of a new generation spreading its gorgeous hues across the canopy of the Eastern sky, we are wont to remember the brilliant career of him who has descended into the mysterious vale of death; and

Whereas, The Hon. W. D. Adair, who was a Confederate Soldier in Lee's Army from 1861 to 1865, and being one of the men who formed the guard for Governor Richard Coke when his right to the office of Governor of Texas was disputed by E. J. Davis; and

Whereas, The said W. D. Adair served in the Twenty-seventh and Twenty-eighth Legislatures of the State of Texas, from Walker County, and served in the official capacity of sheriff, tax collector, and tax assessor of Walker County; and

Whereas, We who are left behind are inspired by his worthy career, by his comradeship, and brotherly love, by his active efforts in behalf of the welfare of Texas, and by his human reminders of his labors engraved upon the life of all who knew him, and upon the golden history of an immortal empire, dedicated by human tongue as the State of Texas; now, therefore, be it

Resolved, That the House of Representatives of the First Called Session of the Forty-third Legislature express to the family of the Hon. W. D. Adair its bereavement at his death, and assure those who now sorrow at his passing that his memory and labors shall remain with us forever; and be it further

Resolved, That when the House stands adjourned on this day, it shall be in memory of the Hon. W. D. Adair, and as a tribute to his worthiness, and that a page of the Journal be dedicated to his memory, and copies of this resolution be forwarded to his family.

The resolution was read second time, and was adopted.

## In Memory of Rev. John W. Holt

Mr. Chastain offered the following resolution:

Whereas, On the fifth day of September, 1933, Rev. John W. Holt, a distinguished Minister of the Gospel and the Chaplain of the House of Representatives of the Forty-second Legislature, passed to his reward suddenly at his home in Eastland County, to the great sorrow of his immediate relatives and a large circle of friends and former parishioners; therefore, be it

Resolved, That the Members of the House of Representatives of the Forty-third Legislature hereby express their appreciation of this distinguished minister, and extend to the bereaved relatives their sincere condolence in these days of sorrow; and further be it

Resolved, That a copy of this resolution be sent, by the Chief Clerk, to the bereaved family, and a page of the House Journal be dedicated to the honor of this former Chaplain, and this resolution be printed therein.

CHASTAIN,  
HUDDLESTON,  
FISHER.

The resolution was read second time.

On motion of Mr. Reed of Bowie, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Runnels, Jones of Shelby, Jones of Atascosa, Kayton, Kyle of Palo Pinto, Kyle of Hays, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubeman, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winingham, Wood, Young.

The resolution was unanimously adopted.

## In Memory of Rev. James Patton Lane

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Mr. Glass offered the following resolution:

Whereas, The Rev. James Patton Lane passed to his eternal reward at his home in Cherokee County, June 27, 1933; and

Whereas, The Rev. James Patton Lane was a distinguished minister of the Methodist Episcopal Church, South, having during his career as a minister of the gospel organized 1,189 Sunday Schools with a total membership in these schools of 51,683, and also distributed 8,000 Bibles and Testaments; and

Whereas, The Rev. James Patton Lane served in the Thirty-eighth Legislature, and distinguished himself as a gentleman fighting for what he considered right, and also served as a distinguished member of the Oklahoma Senate; therefore, be it

Resolved by the Members of the House of Representatives of the First Called Session of the Forty-third Legislature of the State of Texas, That we extend our most sincere and heartfelt sympathy to the family of the distinguished friend and citizen, Rev. James Patton Lane, in their bereavement, and that a copy of this resolution be printed in the Journal of the House, and that a copy be furnished his family.

The resolution was read second time.

On motion of Mr. Young, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Stubbeman, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was then unanimously adopted.



# FINAL REPORT OF THE COMMITTEE ON CONTINGENT EXPENSES

## FIRST CALLED SESSION, FORTY-THIRD LEGISLATURE

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sir: Herewith we hand you the final account to date of the contingent expenses of the House of Representatives of the First Called Session of the Forty-third Legislature. The list includes all that have been received up to this time, all of which have been approved and vouchers issued for the accounts as per numbers and dates herewith: (Some accounts are for expenses incurred by the Regular Session.)

Date	Voucher No.	TO WHOM ISSUED	Amount
1933			
July 6	401	To J. L. Robinson, salary.....	\$ 225.00
July 6	402	Gussie Evans, salary.....	225.00
Aug. 11	403	Von Boeckmann-Jones Co., printing Permanent Journals.....	4,270.96
Aug. 11	404	A. M. Aikin, expenses on investigating trip.....	33.41
Aug. 11	405	C. A. Dahlich, window shades.....	14.00
Aug. 11	406	Gussie Evans, salary.....	225.00
Aug. 11	407	J. L. Robinson, salary.....	225.00
Aug. 19	408	Von Boeckmann-Jones Co., printing.....	363.37
Sept. 14	409	J. L. Hunter, stamps.....	1,500.00
Sept. 14	410	Post-office rent.....	29.85
Sept. 15	411	Von Boeckmann-Jones Co., printing Legislative Manual.....	1,316.86
Sept. 16	412	Miss Gussie Evans, salary.....	217.50
Sept. 16	413	J. L. Robinson, salary.....	217.50
Sept. 19	414	Von Boeckmann-Jones Co., House Journal.....	4,538.83
Sept. 19	415	Tommy Yett, Jr., salary.....	300.00
Sept. 26	416	Ernest Parker, screens.....	8.30
Sept. 26	417	Del Rio Evening News, subscription.....	.60
Sept. 26	418	Favorite Printing Co., subscription.....	.50
Sept. 26	419	Western Union.....	33.38
Sept. 26	420	Capital Printing Co., printing.....	82.02
Sept. 26	421	Brownsville Herald, subscription.....	.75
Sept. 26	422	Palestine Daily Herald, subscription.....	.80
Sept. 26	423	News Publishing Co., subscription.....	.75
Sept. 26	424	Temple Daily Telegram, subscription.....	.50
Sept. 26	425	Herald Publishing Co., subscription.....	.60
Sept. 26	426	Victoria Advocate, subscription.....	.60
Sept. 26	427	Sweetwater Reporter, subscription.....	.60
Sept. 26	428	News Publishing Co., subscription.....	.75
Sept. 26	429	Times Herald Printing Co., subscriptions, six.....	4.50
Sept. 26	430	Perkins & Wilson, subscription.....	.50
Sept. 26	431	Reporters Publishing Co., subscription.....	.75
Sept. 26	432	Reporters Publishing Co., subscription.....	.75
Sept. 26	433	Fort Worth Press, three subscriptions.....	1.50
Sept. 26	434	Brenham Banner Publishing Co., subscription.....	.50
Sept. 26	435	Herald Publishing Co., subscription.....	.65
Sept. 26	436	Record Chronicle Co., subscription.....	.50
Sept. 26	437	Sun-Light Publishing Co., two subscriptions.....	1.50
Sept. 26	438	Dallas Journal, subscription.....	.50
Sept. 26	439	Eagle Pass Daily Journal, subscription.....	.50
Sept. 26	440	Evening Weekly Mirror, subscription.....	.40
Sept. 26	441	Banner Publishing Co., subscription.....	.50
Sept. 26	442	Mineral Wells Index, subscription.....	.50
Sept. 26	443	Longview News, subscription.....	.75
Sept. 26	444	Longview News, subscription.....	.75
Sept. 26	445	The Enterprise Co., subscription.....	.75
Sept. 26	446	The Enterprise Co., subscription.....	.75
Sept. 29	447	North Texas Publishing Co., subscription.....	.50
Sept. 29	448	Capital Printing Co., printing.....	58.57
Sept. 29	449	Marshall News Messenger, subscription.....	.50
Sept. 29	450	A. C. Baldwin Co., printing House bills.....	4.50
Sept. 29	451	Globe News Publishing Co., subscription.....	.75
Sept. 29	452	Gainesville Register, subscription.....	1.00
Oct. 3	453	A. C. Baldwin & Sons, printing House bills.....	231.75
Oct. 3	454	Burroughs Adding Machine Co., rent.....	13.00
Oct. 3	455	Port Arthur News, subscription.....	1.00
Oct. 3	456	Port Arthur News, subscription.....	1.00
Oct. 3	457	Gonzales Inquirer, subscription.....	.60
Oct. 3	458	Times Publishing Co., four subscriptions.....	3.00
Oct. 3	459	Von Boeckmann-Jones Co., printing.....	273.08
Oct. 3	460	Von Boeckmann-Jones Co., work on Manuals.....	45.75
Oct. 3	461	E. L. Steck, supplies.....	296.87
Oct. 4	462	Hyde Park Floral Co.....	5.38
Oct. 4	463	Texas School for Blind, mops.....	1.17
Oct. 4	465	C. J. Martin & Sons, floor sweep.....	4.00
Oct. 4	1	Hyde Park Floral Co.....	8.83
Oct. 4	2	C. J. Martin & Sons, floor sweep.....	2.25
Oct. 4	3	H. H. Voss, porter's supplies.....	47.91
Oct. 4	4	Laredo Times, subscription.....	.65

## FINAL REPORT OF THE COMMITTEE ON CONTINGENT EXPENSES—Continued

Date	Voucher No.	TO WHOM ISSUED	Amount
1933			
Oct. 4	5	To Southern Publishing Co., subscription.....	\$ .75
Oct. 4	6	S. H. Kress Co., soap.....	2.00
Oct. 4	7	T. B. Butler Publishing Co., subscription.....	.75
Oct. 5	8	Von Boeckmann-Jones Co., Permanent House Journal.....	365.75
Oct. 5	9	Baker Floral Co.....	7.50
Oct. 5	10	Von Boeckmann-Jones Co., binding and printing.....	454.44
Oct. 6	11	A. W. Brill, porter's supplies.....	4.08
Oct. 6	12	Capital Printing Co., printing stationery.....	68.29
Oct. 6	13	Sherman Democrat, subscription.....	.65
Oct. 6	14	Sherman Democrat, subscription.....	.65
Oct. 6	15	Rolland Bradley, refund on telephone.....	1.25
Oct. 11	17	American Publishing Co., subscriptions.....	35.58
Oct. 11	18	S. S. Pettus, subscriptions.....	41.85
Oct. 11	19	Justine Blakeslee, rent on typewriter.....	4.00
Oct. 11	20	Express Publishing Co., subscriptions.....	13.75
Oct. 11	21	C. M. McGeath, subscriptions.....	18.75
Oct. 11	22	Southwestern Bell Telephone Co.....	309.10
Oct. 11	23	M. G. Newton, keys.....	3.50
Oct. 11	24	Homer Leonard, refund on telephone.....	2.40
Oct. 11	25	Capital Printing Co., printing.....	54.48
Oct. 11	26	H. H. Voss, supplies.....	1.00
Oct. 11	27	Von Boeckmann-Jones Co., House Journals.....	901.87
Oct. 12	28	J. L. Hunter, wrappers.....	5.62
Oct. 12	29	H. K. Stanfield, expenses to Oklahoma.....	43.00
Oct. 12	30	J. L. Hunter, stamps.....	500.00
Oct. 18	31	Capital Printing Co., envelopes and letterheads.....	33.65
Oct. 18	32	Photostat Corporation, photostat supplies.....	30.40
Oct. 18	33	H. H. Voss Co., porter's supplies.....	10.57
Oct. 18	34	E. L. Steck, supplies.....	29.25
Oct. 18	35	Graybar Electric Co., vacuum tubes.....	18.60
Oct. 18	36	E. L. Steck, supplies.....	20.16
Oct. 18	37	E. L. Steck, supplies.....	7.90
Oct. 18	38	E. L. Steck, supplies.....	10.40
Oct. 18	39	E. E. Barrow, rent on typewriter.....	4.00
Oct. 18	40	J. S. Dunlap, subscriptions.....	2.25
Oct. 18	41	B. L. Rogers, expenses to Oklahoma.....	35.00
Oct. 18	42	A. C. Baldwin, printing House bills.....	309.25
Oct. 18	43	Von Boeckmann-Jones Co., lettering on Manual.....	1.50
Oct. 18	44	Von Boeckmann-Jones Co., Journals.....	764.10
Oct. 18	45	D. R. Lilienstern, subscriptions.....	54.40
Oct. 18	46	Carter's Publications, Inc., subscription.....	.85
Oct. 18	47	Carter's Publications, Inc., subscription.....	.85
Oct. 18	48	A. C. Baldwin & Sons, printing House bills.....	571.50
Oct. 18	51	E. L. Steck Co., rent on typewriters.....	112.00
Oct. 18	54	Underwood-Elliott-Fisher Co., rent on typewriter.....	7.50
Oct. 18	55	E. E. Barrow, rent on typewriters.....	88.00
Oct. 18	56	E. E. Barrow, rent on typewriters.....	14.00
Oct. 18	58	Underwood-Elliott-Fisher Co., rent on typewriters.....	116.00
Oct. 18	59	Connellys Florists.....	5.00
Oct. 19	62	A. S. Hull, supplies.....	1,570.63
Oct. 23	63	Vernon Law Book Co., Civil Statutes.....	37.60
Oct. 23	64	Postal Telegraph.....	2.91
Oct. 23	65	Von Boeckmann-Jones Co., Senate Bill No. 46.....	50.21
Oct. 23	66	Hyde Park Floral Co., wreath.....	10.50
Oct. 23	67	Southwestern Bell Telephone Co.....	352.08
Oct. 23	68	Times Review Publishing Co., subscription.....	.50
Oct. 23	69	E. L. Steck Co., repair on mimeograph.....	5.00
Oct. 23	70	Southwestern Bell Telephone Co.....	717.27
Oct. 23	72	Western Union.....	128.22
Oct. 23	73	Western Union.....	88.80
Oct. 23	74	Western Union.....	60.86
Oct. 23	75	Western Union.....	60.04
Oct. 23	76	Wilma Rogers, stenographic work.....	42.50
Oct. 23	77	Barbara Gault, stenographic work.....	10.00
Oct. 23	78	Ruth Dexter, stenographic work.....	50.00
Oct. 23	79	Murray Brownlee, stenographic work.....	20.00
Oct. 23	81	Von Boeckman-Jones Co., printing House Journal.....	584.26
Oct. 24	82	Postal Telegraph.....	22.20
Total.....			\$23,753.48

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STAMP ACCOUNT

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On hand .....	\$ 245.65
Bought during Session.....	2,005.62
Total . . . . .	<u>\$2,251.27</u>

## Disbursements

To Members .....	\$2,015.55
Chief Clerk .....	38.34
Sergeant-at-Arms .....	6.86
Committees .....	35.32
Left on hand.....	155.25
Total . . . . .	<u>\$2,251.27</u>

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SUPPLY ACCOUNT

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On hand .....	\$ 318.05
Bought during Session.....	1,860.84
Total . . . . .	<u>\$2,179.08</u>

## Disbursements

To Members .....	\$ 538.32
Stenographers .....	866.29
Porters .....	90.00
Voting machine operator.....	50.89
Calendar Clerk .....	32.43
Chief Clerk .....	38.28
Journal Clerk .....	14.28
Reading Clerk .....	5.52
Mailing Clerk .....	.58
Doorkeeper .....	1.77
Committees .....	42.23
Enrolling and Engrossing Departments.....	173.74
Sergeant-at-Arms .....	.13
Chaplain .....	1.63
Left on hand.....	322.99
Total . . . . .	<u>\$2,179.08</u>

EXPENSE ACCOUNT FOR MEMBERS  
FIRST CALLED SESSION, FORTY-THIRD LEGISLATURE

Name	Supplies	Stamps	Telegraph and Telephone	Total
Adamson, J. W.	\$ 6.88	\$ 18.02	\$ 8.23	\$ 33.13
Aikin, A. M., Jr.	2.47	11.21	5.51	19.19
Alexander, Bob	1.53	20.73	16.66	38.92
Alsup, Lon E.	2.60	6.33	4.98	13.91
Anderson, P. L.	4.36	10.55	24.60	39.51
Baker, A. L.	.86	12.72	2.01	15.59
Barrett, E. B.	20.29	8.62		28.91
Barron, Elbert M.	3.75	23.27	26.98	54.00
Beck, E. Harold	2.09	3.43	8.23	13.75
Bedford, Fine G.	1.28	21.85	5.54	28.67
Bourne, C. D., Jr.	2.47	3.59	5.00	11.06
Bradley, Rolland	11.55	12.58	21.23	45.36
Burns, Gordon M.	3.57	11.23	16.73	31.53
Butler, George B.	.03	5.69	24.37	30.09
Calvert, Robert W.	1.85	4.82	5.80	12.47
Camp, Emory B.	7.14	13.26	11.25	31.65
Canon, C. C.	5.55	9.74	4.42	19.71
Cathey, Ben.	.37	26.17	2.23	28.77
Caven, Hubbard	3.58	12.24	19.85	35.67
Celaya, Augustine	6.72	8.61	20.25	35.58
Chastain, O. S.	1.16	23.55	3.60	28.31
Clayton, Wm. E.	2.39	7.15	38.87	48.41
Colson, Nall	2.80	5.18	25.65	33.63
Coombes, Z. E.	7.02	15.24	6.80	29.06
Cowley, Dero D.	1.40	22.41	8.80	32.61
Crossley, Dr. A.	.78	5.22	10.30	16.30
Daniel, Albert K.	7.53	13.06	6.06	26.65
Davidson, Edgar W.	7.53	13.23	8.36	29.12
Dean, W. V.	.62	2.73		3.35
Devall, Sam S.	6.78	6.23	8.85	21.86
Dunagan, Otis T.	1.35	23.37	8.02	32.74
Dunlap, E. D.	3.12	5.66	27.35	36.12
Duvall, J. C.	6.04	20.23	24.19	50.46
Dwyer, Pat.	.25	10.06	79.26	89.57
Engelhard, Fritz	2.79	3.23	5.96	11.98
Fain, John W.	2.11	8.99	2.91	14.01
Few, W. A.	1.47	13.39	3.58	18.44
Fisher, J. H.	4.43	25.79		30.22
Ford, J. B.	2.79	24.42	5.23	32.44
Fuchs, R. A.	2.71	22.23	4.50	29.44
Glass, W. W.	2.73	8.44	2.80	13.97
Golson, J. W.	2.90	7.79	2.95	13.64
Good, R. H.	4.60	6.24	15.68	26.52
Goodman, J. L.	1.18	17.51	7.22	25.91
Graves, Harry N.	.16	.73	1.66	2.55
Greathouse, Jos. F.	1.88	20.55	25.90	43.33
Griffith, A. W.	3.73	27.64	.66	32.03
Hankamer, Harold M.	2.47	9.27	30.36	42.10
Harman, W. M.	.15	11.63	10.05	21.83
Harris, D. M.	1.86	7.07		8.93
Harrison, Leon G.	4.89	9.73	27.23	41.85
Hartzog, Howard G.	2.90	14.64	40.25	57.79
Head, J. Manley	8.56	9.17	6.04	23.77
Hester, George C.	4.84	10.23	.25	15.32
Hicks, Tom	.25	14.74	5.43	20.42

## EXPENSE ACCOUNT FOR MEMBERS—Continued

Name	Supplies	Stamps	Telegraph and Telephone	Total
Hill, Emmett C.....	\$ 1.70	\$ 6.84	\$ 55.35	\$ 43.89
Hill, Paul.....	2.18	11.60	7.69	21.47
Hodges, W. E.....	1.76	7.23	.....	8.99
Holekamp, Bodo.....	4.03	21.27	3.08	28.38
Holland, R. H.....	1.55	9.93	9.20	20.68
Holloway, Walter C.....	1.39	17.34	12.93	31.66
Hoskins, Conde R.....	4.68	18.23	8.06	30.97
Huddleston, Earl.....	3.65	8.78	1.15	13.58
Hughes, Sarah T.....	2.14	11.96	10.18	24.28
Hunt, J. W., Jr.....	1.72	6.55	18.00	26.27
Hyder, Tom Bullock.....	3.40	8.39	39.76	51.55
Jackson, H. P.....	3.86	14.71	2.45	21.02
James, Jesse.....	4.80	14.47	23.20	42.47
Jefferson, Pat.....	3.56	24.23	13.92	41.71
Johnson, A. P.....	.98	28.99	.....	29.97
Johnson, R. M.....	3.61	12.23	7.73	23.57
Jones, Harvey O.....	5.57	15.35	12.69	31.61
Jones, Hugh.....	1.15	25.24	11.25	37.64
Jones, Walter E.....	2.50	16.27	7.72	26.49
Kayton, Harold E.....	2.89	22.60	1.15	26.64
Kyle, A. C.....	3.64	12.55	5.31	21.50
Kyle, Henry C.....	6.27	5.24	14.43	25.94
Laird, John W.....	2.05	22.36	4.69	29.10
Latham, Sidney.....	2.30	3.25	10.16	15.71
Lemens, Vernon.....	8.86	14.47	13.87	37.70
Leonard, Homer L.....	.46	19.13	19.24	38.83
Lindsey, J. F.....	5.89	21.01	2.06	28.96
Long, Bob.....	1.72	17.12	25.49	44.33
Lotief, Cecil A.....	3.50	21.02	3.73	28.25
Magee, J. S.....	.60	8.66	.48	9.74
Mackay, Henry.....	3.59	17.50	18.16	39.25
Mathis, John M., Sr.....	1.90	9.24	23.56	34.70
McClain, W. C.....	10.03	15.30	5.45	30.78
McCullough, J. W.....	3.51	18.02	11.75	33.28
McDougald, J. R.....	3.40	20.75	12.91	37.06
McGregor, T. H.....	1.58	8.25	15.59	25.42
McKee, H. L.....	1.19	9.25	22.41	32.85
Merritt, Joe A.....	1.26	3.25	2.35	6.86
Metcalfe, Penrose B.....	14.55	10.56	16.81	41.92
Mitcham, J. L.....	1.79	7.54	2.06	11.39
Moffett, George.....	2.72	14.77	6.45	23.94
Moore, Weaver.....	3.24	9.01	22.21	34.46
Morrison, Harlee.....	12.21	17.24	1.74	31.91
Morse, R. Emmett.....	1.08	3.46	58.47	63.01
Munson, M. S., Jr.....	4.93	6.24	3.30	14.47
Nicholson, C. E.....	.70	7.80	14.50	23.00
Palmer, Gaston.....	2.32	27.24	16.01	45.57
Parkhouse, George.....	2.39	14.78	10.18	27.31
Patterson, Frank, Jr.....	5.33	5.06	24.04	34.43
Pavlica, James.....	2.62	13.74	.....	16.36
Pope, W. E.....	5.21	9.25	41.26	55.72
Puryear, John.....	1.60	6.68	6.74	15.02
Ramsey, Ben.....	.58	23.55	12.60	36.73
Ratliff, Dennis P.....	7.20	3.75	2.96	13.91
Ray, H. H.....	3.47	15.65	3.00	22.12
Reader, R. L.....	3.51	18.30	13.59	35.40
Reed, Jasper N.....	3.17	18.28	2.62	24.07

## EXPENSE ACCOUNT FOR MEMBERS—Continued

Name	Supplies	Stamps	Telegraph and Telephone	Total
Reed, W. O.	\$ 1.75	\$ 9.25	\$ 7.51	\$ 18.51
Renfro, Thomas J.	2.10	18.25	9.79	30.14
Riddle, Arthur C.	1.09	13.16	10.43	24.68
Roberts, Morris	2.27	19.23	9.66	31.16
Rogers, B. L.	.46	27.34	31.59	59.39
Rogers, F. A.	1.54	6.59	.84	8.97
Rollins, George W.	2.73	13.24	1.16	17.13
Ross, John G.	2.24	14.65	9.90	26.79
Russell, Traylor	6.29	16.48	8.16	30.93
Savage, W. T.	14.97	15.74	4.41	35.17
Scarborough, Amos P., Jr.	2.22	10.94	8.93	22.09
Scott, Will H.	1.21	4.74	6.58	12.53
Shannon, S. D.	2.01	14.22	6.21	22.44
Shults, W. C.	7.54	21.86	.96	30.36
Smith, J. O.	1.91	10.23	1.97	14.11
Stanfield, Halmond K.	3.13	17.13	37.07	57.33
Steward, Hugh B.	1.11	4.46	10.65	16.22
Stinson, Jeff D.	3.16	8.24	4.00	15.40
Stovall, H. R.	2.14	13.52	.46	16.12
Stubbeman, Frank D.	4.43	8.49	14.84	27.76
Sullivant, C. F.	5.05	23.59	10.07	38.71
Tarwater, A. B.	.27	19.83	15.85	35.95
Tennyson, Chas. H.	2.43	20.09	5.65	28.17
Thomas, John N.	1.57	26.89		28.46
Tillery, Edwin	4.59	21.90	8.96	35.45
Townsend, E. E.	1.70	6.27	14.83	22.80
Turlington, C. M.	1.29	13.59	2.43	17.71
Van Zandt, Olan R.	12.17	7.31	12.01	31.49
Vaughan, Ben F.	1.97	24.24	.76	26.97
Wagstaff, R. M.	5.24	7.24	17.50	29.98
Walker, Albert G.	.84	1.01		1.85
Weinert, F. C.	3.70	17.00	14.06	34.76
Wells, Joe Kelton	2.08	13.97	11.47	27.52
Winningham, George W.	2.55	16.95	3.00	22.50
Wood, Frank A.	1.91	15.05	15.28	32.24
Young, J. D.	21.72	5.02	7.60	34.34
Stevenson, Coke R.	4.70	22.08	5.43	32.21
Hunter, E. E.	4.92	19.62	3.85	28.39
Chief Clerk	38.28	38.34	3.15	79.77

## REPORT OF SERGEANT-AT-ARMS

Hon. Walter C. Holloway, Chairman, Committee on Contingent Expenses,  
House of Representatives, First Called Session, Forty-third Legislature.

Sir: The following is a statement of inventory of the House of Representatives of the First Called Session of the Forty-third Legislature:

## INVENTORY

Enrolling Room	Room No. 7
2 Large oak tables.	32 Plain oak chairs.
6 Stenographers' tables.	2 Desk oak chairs.
6 Wastebaskets.	1 Roll oak desk.
4 New oak chairs.	1 Typewriter desk.
2 Hall trees.	2 Large tables.
2 Metal file cabinets.	1 File cabinet.
1 Oak desk.	1 Leatherette top table.
2 Large armchairs.	1 Plain high chair.
3 Stenographers' baskets.	1 Hall tree.
Engrossing Room.	Reception Room
2 Large tables.	20 Walnut chairs.
1 Hall tree.	4 Walnut settees.
3 Medium tables.	1 Large walnut table.
8 Stenographers' tables.	1 Bulletin board.
1 Oak desk.	1 Small table (glass top).
2 Metal file cabinets.	
2 Wastebaskets.	Rear Hall of House
3 Armchairs.	1 Roll-top desk.
1 Desk chair.	1 Wood cabinet.
3 New oak chairs.	1 Drinking fountain.
3 Stenographers' chairs.	
1 Pencil sharpener.	Mimeograph Room
	2 Large tables.
	1 Small table.
	8 Folding chairs.
	15 New oak chairs.
	46 Stenographers' chairs.
	1 Mimeograph machine.
	4 Round back chairs.
	In House
	2 File cabinets (wood).
	1 File cabinet (metal).
	2 Large tables.
	1 Calendar Clerk desk and table.
	1 Chief Clerk desk.
	1 Reading Clerk desk.
	2 Journal Clerk desks.
	25 Leather back oak chairs.
	2 Stenographers' tables.
	Porters' Room
	200 Pounds moth control.
	1 Desk.
	3 Cases paper towels.
	6 Large wastebaskets.
	2 Pounds floor sweep.
	4 Tubs.
	9 Straw brooms.
Room No. 3	
1 Piano and stool.	
27 Large oak chairs.	
2 Large oak tables.	
2 Stenographers' tables.	
3 Small oak chairs.	
Room No. 4	
25 Mahogany chairs.	
1 Mahogany table.	
1 Metal cabinet.	
1 Large wood cabinet.	
Room No. 5	
26 Oak chairs.	
2 Oak tables.	
1 Hall tree.	
1 Mop.	
3 Wastebaskets.	
Room No. 6	
1 Large table.	
1 Hall tree.	
63 Stenographers' tables.	
111 Wastebaskets.	
1 Round armchair.	

## Porters' Room—Contd.

- 6 Push brooms.
- 6 Wet mops.
- 4 Dust mops.
- 5 Buckets.
- 1½ Cases toilet paper.
- 5 Chairs.
- 3 Hand brushes.
- 1 Small airway vacuum cleaner.
- 75 Feet vacuum hose.

## Speaker's Living Room

- 2 Electric fans.
- 1 Floor lamp.
- 1 Dresser.
- 1 Center table.
- 1 Rocker.
- 2 Large armchairs.
- 1 Wardrobe.
- 1 Wastebasket.
- 1 Straight chair.
- 1 Chest drawers.
- 1 Bathtub.
- 3 Water pitchers.
- 6 Glasses.
- 1 Dufold.

## Speaker's Private Office

- 1 Stenographer's table.
- 1 Electric fan.
- 1 Desk lamp.
- 1 Mahogany desk.
- 1 Glass pin tray.
- 2 Armchairs.
- 2 Desk chairs.
- 1 Lounge.
- 1 Rubber mat.
- 1 Mahogany library table.
- 1 Wastebasket.

## Speaker's Reception Room

- 2 Desk chairs.
- 1 Armchair.
- 1 Dufold.
- 1 Settee.
- 1 Large steel cabinet.
- 2 Mahogany desks.
- 1 Mahogany bookcase.
- 1 Hall tree.
- 1 Small steel cabinet.
- 2 Small oak filing cabinets.

## Speaker's Reception Room—Contd.

- 2 Ash trays.
- 1 Water cooler.
- 1 Straw broom.
- 1 Desk lamp.
- 3 Wastebaskets.
- 1 Erro-No.
- 1 Water bucket.

## Gents' Wash Room

- 75 Rubber mats.
- 85 Cuspidors.
- 1 Quart disinfect.
- 1 Shine stand.
- 1 Blackboard.

## Ladies' Rest Room

- 1 Electric fan.
- 1 Round table.
- 2 Screens.
- 1 Dressing table.
- 1 Settee, 2 chairs.
- 1 Chair.

## Chief Clerk's Office

- 21 Oak chairs.
- 1 Roll-top desk.
- 9 Wastebaskets.
- 1 Couch.
- 2 Bookcases.
- 4 Stenographers' tables.
- 2 Steel file cabinets.
- 1 File cabinet (oak).
- 4 Desk lamps.
- 2 Hall trees.
- 3 Flat top desks.

## Sergeant-at-Arms

- 3 Roll-top desks.
- 1 Typewriter desk.
- 3 Flat top desks.
- 1 Safe.
- 1 Steel cabinet.
- 3 Pigeonhole cabinets.
- 4 Electric fans.
- 3 Flat top desks.
- 7 Chairs.
- 1 Pencil sharpener.
- 2 Telephones.
- 3 Wastebaskets.

Respectfully submitted,

WALTER C. HOLLOWAY, Chairman.

By Adele Jacobs, Clerk.